DOCUMENT RESUME

ED 394 693 PS 024 128

TITLE	The Continuing Child Protection Emergency: A Challenge to the Nation. Third Report.
INSTITUTION	United States Advisory Board on Child Abuse and Neglect, Washington, DC.
REPORT NO	ISBN-0-16-036276-8
PUB DATE	Apr 93
NOTE	247p.; For related documents, see ED 322 432 and ED 392 557.
AVAILABLE FROM	U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328 ($14).
PUB TYPE	Information Analyses (070) -- Viewpoints (Opinion/Position Papers, Essays, etc.) (120) -- Reports - Descriptive (141)
EDRS PRICE	MF01/PC10 Plus Postage.
DESCRIPTORS	Change Strategies; *Child Abuse; Child Caregivers; *Child Neglect; *Child Welfare; Federal Legislation; Foster Care; *Government Role; Homicide; Neighborhoods; Policy Formation; Prevention; *Public Policy; Sexual Abuse; Social Problems; *Urban Problems
IDENTIFIERS	Child Abuse Fatalities; Child Abuse Prevention and Treatment Act; *Child Protection; Child Protective Services; Child Safety; United Nations Convention on Rights of the Child

ABSTRACT

Three years after the release of its original report (1990), the U.S. Advisory Board on Child Abuse and Neglect reports that the child protection emergency has clearly deepened in all parts of the nation. Reports of child abuse and neglect have continued to climb; an inordinate number of children continue to die at the hands of caretakers; and adequate and affordable treatment for child abuse victims and their families remains exceedingly difficult to find. The collapse of the nation's child protection system has also continued. This updated report explores the continuing child welfare crisis and calls upon national leaders to respond in a meaningful way to the critical recommendations set forth during the previous 3 years. Those recommendations include enacting an explicit national child protection policy that is comprehensive, child-centered, family-focused, neighborhood-based, and which emphasizes treatment and prevention of abuse and neglect. This report consists of three sections. Section 1 provides an introduction to the volume which documents the continuing national child protection emergency, discusses the federal role in child protection, and provides an overview of the report. Section 2 describes the activities of the Board during 1991-1992, including a discussion of its response to major public policy issues, its stand on the United Nations' Convention on the Rights of the Child, and the development of a new national child protection strategy. Also included are a discussion of child maltreatment-related fatalities and a reassessment of Board positions on a variety of topics. Section 3 provides copies of document related to Board activities in the following areas: the response of the Board to major public policy issues; development of the 1993 report on a proposed new child protection strategy; and development of the 1994 report on a proposed national policy on child maltreatment related fatalities. Five appendices list: (1) members, staff, committees, and workgroups of the Board; (2) persons appearing before the Board during meetings; (3) texts of the Child Abuse Prevention and Treatment Act (including all amendments through the end of the 102nd Congress); (4) Report on the Accomplishments of the Initiative on Child Abuse and Neglect of the Secretary of Health and Human Services; and (5) reports by the Interagency Task Force on Child Abuse and Neglect. (DR)

PS

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
U.S. Advisory Board on Child Abuse and Neglect

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☒ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

- Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

ED 394 693

THE CONTINUING CHILD PROTECTION EMERGENCY:

A CHALLENGE TO THE NATION

PS 024128

BEST COPY AVAILABLE

The views expressed in this report are those of the members of the U.S. Advisory Board on Child Abuse and Neglect and do not necessarily reflect the views of any part of the U.S. Department of Health and Human Services.

This document may be reproduced without permission.

* * * * * * * * * * * * * * * * *

For information concerning the **1992 Board Report:** ***The Continuing Child Protection Emergency: A Challenge to the Nation (April 1993)***, please contact:

U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT
200 Independence Avenue, S.W.
Washington, D.C. 20201
(202) 690-8137

* * * * * * * * * * * * * * * * *

Copies of the **1990 Board Report:** ***Child Abuse and Neglect: Critical First Steps in Response to a National Emergency (August 1990)***, may be obtained from:

U.S. GOVERNMENT PRINTING OFFICE
Superintendent of Documents
Washington, D.C. 20401
Stock No.: 017-092-00104-5
Cost: $7.50

Copies of the **Executive Summary of the 1991 Board Report:** ***Creating Caring Communities: Blueprint for an Effective Federal Policy on Child Abuse and Neglect (September 1991)***, may be obtained from:

U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT
200 Independence Avenue, S.W.
Washington, D.C. 20201
(202) 690-8137

For sale by the U.S. Government Printing Office
Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328
ISBN 0-16-036276-8

Department of Health and Human Services
Administration for Children and Families
U.S. Advisory Board on Child Abuse and Neglect

THE CONTINUING CHILD PROTECTION EMERGENCY:

A CHALLENGE TO THE NATION

Third Report

The U.S. Advisory Board on Child Abuse and Neglect

April 1993

THE U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

Howard A. Davidson, Chair

Gary B. Melton, Vice-Chair
Deanne Tilton Durfee, Vice-Chair

Members

Frank D. Barry
Enid A. Borden
Jane Nady Burnley
Yvonne M. Chase
Donna N. Givens
Richard D. Krugman, Past Chair
Joyce London-Mohamoud
Brenda G. Meister
Lawrence F. Potts
Prince Preyer, Jr.
Diane J. Willis

Former Members

Betsy Brand
Earl L. Dunlap
James H. Egan
H. Gordon Evans
Judith C. Frick
Jeanne D. Rodriguez
Deborah M. Walsh

Byron D. Metrikin-Gold, Executive Director

TABLE OF CONTENTS

TABLE OF CONTENTS i

ACKNOWLEDGMENTS iv

I. INTRODUCTION 1
- A. The Continuing National Child Protection Emergency 1
- B. The Federal Role in Child Protection Emergency 4
- C. The U.S. Advisory Board on Child Abuse and Neglect 9
- D. Overview of this Report 10

II. ACTIVITIES OF THE BOARD DURING 1991-1992 13
- A. The Response of the Board to Major Public Policy Issues 13
  - 1. Citizen Roles in Responding to the National Emergency 14
  - 2. Convention on the Rights of the Child 14
- B. Development of a New National Child Protection Strategy 16
  - 1. Nature of the Strategy 16
  - 2. Gathering Information Related to the Strategy 20
    - a. Scholarly Papers 21
    - b. Hearings 21
    - c. Symposiums 22
      - 1) Child Sexual Abuse 22
      - 2) Foster Care 23
      - 3) Diverse Perspectives 24
    - d. Field Visit 25
- C. Child Maltreatment-related Fatalities 26
- D. Development and Reassessment of Board Positions on a Variety of Topics 28
  - 1. Urban Unrest, Neighborhood Decline, and Child Maltreatment 29
  - 2. Management of Federally Supported Knowledge-Building Activities 30
  - 3. The Importance of Federal Leadership in CPS Agency Reform 32

III. DOCUMENTS RELATED TO BOARD ACTIVITIES 35
- A. The Response of the Board to Major Public Policy Issues 35
  - 1. Reauthorization of Child Abuse Prevention and Treatment Act (CAPTA) 35
    - a. Testimony before the House Select Committee on Children, Youth, and Families 35
    - b. Testimony before the House Subcommittee on Select Education of the Committee on Education and Labor 41
    - c. Text of Board-proposed Amendments to CAPTA Intended To Strengthen the Board 50
  - 2. Correspondence from the Board Providing Recommendations on Child Maltreatment Policy 58
    - a. Letter to DHHS Administration on Children, Youth, and Families Concerning Priorities for NCCAN Research and Demonstration Project Initiatives 58
    - b. Letter to Senator Joseph Biden Regarding the Proposed "National Child Protection Act" 63
  - 3. Role of the Media 66
    - a. Round Table Discussion in Los Angeles 66
    - b. Board Statement Coinciding with Airing of the Scared Silent Television Documentary 68
    - c. Letter to Oprah Winfrey Regarding National Child Protection Reform 76
    - d. Congratulatory Letter to Arnold Shapiro, Producer of Scared Silent 78
  - 4. Board Statement on the Convention on the Rights of the Child (with Board's Proposed National Child Protection Policy attached) 79
- B. Development of the 1993 Report on a Proposed New Child Protection Strategy 91
  - 1. Technical Papers Commissioned by the Board 91
    - a. Background Papers 91
    - b. Text of a Concept Paper on a "Neighborhood Based Approach" to Child Protection 92
  - 2. Board Hearings Related to the Development of a New National Child Protection Strategy 123
    - a. Minneapolis, Minnesota 123
    - b. Chicago, Illinois 127
    - c. Columbia, Missouri 129
    - d. New Brunswick, New Jersey 131

3. Symposiums 136
    a. Child Sexual Abuse 136
    b. Foster Care 137
    c. Diverse Perspectives 138
4. Field Visits in Minneapolis, Minnesota 171

C. Development of the 1994 Report on a Proposed National Policy on Child Maltreatment-related Fatalities 174
1. Hearing in Los Angeles 174
2. Field Visit in Los Angeles 177

IV. **APPENDIXES** 180

APPENDIX A. MEMBERS, STAFF, COMMITTEES AND WORKGROUPS OF THE BOARD 180
1. Membership--1991-1992 180
2. Staff And Other Personnel Resources--1991-1992 184
3. Committees and Work Groups--1991-1992 185

APPENDIX B. PERSONS APPEARING BEFORE THE BOARD DURING MEETINGS 186

APPENDIX C. CHILD ABUSE PREVENTION AND TREATMENT ACT (INCLUDING ALL AMENDMENTS THROUGH THE END OF THE 102ND CONGRESS) 190

APPENDIX D. REPORT ON THE ACCOMPLISHMENTS OF THE INITIATIVE ON CHILD ABUSE AND NEGLECT OF THE SECRETARY OF HEALTH AND HUMAN SERVICES 219

APPENDIX E. REPORTS BY THE INTER-AGENCY TASK FORCE ON CHILD ABUSE AND NEGLECT 223

April 1993

ACKNOWLEDGMENTS

The Board continues to be particularly indebted to its **incredibly hard-working staff**, whose willingness to support the Board's ambitious goals has been demonstrated by the staff's many extra hours during evenings, weekends, and even holidays.

Special thanks are also due to those members who ended their service during the period covered by this report (September 1991--December 1992): **Betsy Brand, Earl L. Dunlap, H. Gordon Evans, Judith C. Frick, Jeanne D'Agostino Rodriguez,** and **Deborah M. Walsh**. Each contributed in very special ways to the Board's search for effective approaches to addressing America's national child protection emergency:

> Betsy and Earl, with their keen political sense of how government really works;
>
> Gordon, with his passion for foster care reform and general sagacity;
>
> Judy, with her special insight on the role of volunteers;
>
> Jeanne, who constantly reminded her colleagues that they needed to be "tough" in dealing with a government that had failed to adequately address a national emergency; and
>
> Deborah, who gave us insight into the important efforts aimed at reforming the nation's schools.

A word about turnover among the Board's membership is in order. In late October 1992, the first new appointees from the public were named to the Board. These new members participated neither in the activities described in this report nor in its development. Responsibility for the contents of this report rests with the departing and continuing members (1989 appointees).

The Board also wishes to express its appreciation to the **many individuals who contributed in diverse and important ways to the successful accomplishment of the Board activities carried out during the period covered by this report.** The high quality of the activities would not have been possible without those contributions.

Deserving of praise are the **several organizers of the hearings, symposiums, and meetings.** The Board also commends **the many individuals who testified at the hearings and participated in the symposiums and meetings.**

Several other individuals and organizations are worthy of mention. **Anne Cohn Donnelly and Debra Daro of the National Committee for the Prevention of Child Abuse** shared with the Board invaluable experience related to the Board's 1991 recommendation on home visitation. Also, **staff of the National Committee** made it possible for the Board to hold a hearing immediately prior to the Ninth International Congress on Child Abuse and Neglect.

Patricia Schene and the staff of the American Association for Protecting Children worked with the staff of the Board to assure that the release of the Board's 1991 report received considerable attention during the Ninth National Conference on Child Abuse and Neglect.

The Los Angeles Times Mirror, the Los Angeles County Board of Supervisors, the McKnight Foundation, and the Hennepin County Board of Commissioners generously hosted Board activities. **The directors and staffs of the Los Angeles County Inter-Agency Council on Child Abuse and Neglect Multi-Agency Child Death Review Team, the Hennepin County (Minnesota) Community Services Department, and several Hennepin County services programs** freely shared their expertise with the Board during visits to those programs. **Arnold Shapiro and Rob Morhaim** cooperated with the staff of the Board in the preparation for the Board's press conference in connection with the Scared Silent broadcast.

Finally, the Board wishes to recognize its first Chairperson, **Richard Krugman.** His leadership during the formative years of the Board was a critical factor in the recognition the Board has received from the child protection community.

I. INTRODUCTION

A. THE CONTINUING NATIONAL CHILD PROTECTION EMERGENCY

> *[C]hild abuse and neglect in the United States now represents a national emergency.*
>
> *Child abuse is wrong. Not only is child abuse wrong, but the nation's lack of an effective response to it is also wrong. Neither can be tolerated. Together they constitute a moral disaster.*
>
> *Child neglect is also wrong. When those who have assumed responsibility for providing the necessary resources for children fail to do so, it is wrong. When parents and other caretakers have the psychological capacity to care for their children adequately but lack the economic resources to do so, society itself is derelict when it fails to provide assistance.*
>
> *All Americans share an ethical duty to ensure the safety of children. All Americans should be outraged by child maltreatment. Even when it causes no demonstrable harm to children, it is shameful.*
>
> *Protection of children from harm is not just an ethical duty: it is a matter of national survival.*

With those words in its 1990 report, the U.S. Advisory Board on Child Abuse and Neglect (the Board) drew the attention of the nation to the severe abuse and neglect of hundreds of thousands of America's children each year.

Three years after the release of that report, the child protection emergency has clearly deepened in all parts of the nation:

- Reports of child abuse and neglect have continued to climb;
- An inordinate number of children continue to die at the hands of caretakers;
- Adequate and affordable treatment for child abuse victims and their families remains exceedingly difficult to find;

- The collapse of the nation's child protection system has continued--
    - Caseloads of local government agencies charged with child protection (CPS agencies) have soared;
    - The number of children going into foster care has risen;
    - CPS agency staffs have shrunk;
    - Insufficient coordination among teachers, physicians, attorneys, social workers, and police has persisted;
    - The knowledge base on which effective decision-making depends has not appreciably expanded; and
    - Inadequate public resources are still being devoted to child protection.

The national child protection emergency, the Board still believes, threatens to disintegrate the nation's social fabric.

In originally declaring the existence of that emergency, the Board warned the nation of the danger it was courting by ignoring the plight of abused and neglected children. The Board contends that:

- Failure to prevent child abuse and neglect in America is costing taxpayers billions of dollars each year in measures associated with remediating delinquent and criminal behavior, urban unrest, drug abuse, severe mental illness, and family dysfunction;
- Much of the price all Americans pay in fear of violence is attributable to child abuse and neglect;
- Adult violence against children leads to childhood terror, childhood terror leads to teenage anger, and teenage anger too often leads to adult rage, both destructive towards others and self-destructive; and, therefore,
- An effective and adequately funded child maltreatment prevention program must be at the heart of any national, State, or local crime prevention program.

April 1993

In this, its third annual report,[1] the Board calls upon the nation's leaders to respond in a meaningful way to its most critical recommendations set forth during the past three years:

- Enact an explicit national child protection policy;
- Implement universal, voluntary home visitation for new parents;
- Reform Federal child welfare legislation;
- Prohibit corporal punishment in any activity receiving Federal funds;
- Ratify the U.N. Convention on the Rights of the Child promptly; and
- Pursue a new national strategy for protecting children--
  - A strategy that is **comprehensive**;
  - A strategy that is **child-centered**;
  - A strategy that is **family-focused**;
  - A strategy that is **neighborhood-based**; and
  - A strategy that focuses on the **prevention and treatment** of child abuse and neglect.

In 1991 the Board dedicated its report to:

> *the many thousands of American children and families trapped in the throes of abuse and neglect who are waiting for our society, and its governments, to respond to their plight with* ***more*** *than just a report, and* ***more*** *than just an investigation.*

---

[1] The 1990 Report of the Board is entitled: Child Abuse and Neglect: Critical First Steps in Response to a National Emergency. The 1991 Report of the Board is entitled: Creating Caring Communities: A Blueprint for an Effective Federal Policy on Child Abuse and Neglect.

On behalf of them, the Board challenges all Americans to resolve that:

- The abuse, neglect, molestation, and murder of our nation's youngest and most vulnerable citizens by those entrusted with their care will be ended;
- This will be the last American generation in which millions of children experience child maltreatment first-hand; and
- No child will suffer or die because America did not care enough to become involved, because America did not make children's health and safety a priority, or because America was scared silent.

B. THE FEDERAL ROLE IN CHILD PROTECTION

In its 1990 report, the Board had concluded that the general picture of Federal involvement in child protection was "one of an absence of a coherent Federal policy." The Board had found the Federal role in child protection planning to be "relatively non-existent," and that the Congress and the White House had "fostered a national child protection system that is fragmented, inadequate, and often misdirected."

Therefore, the Board chose to focus its 1991 report on how the Federal Government might respond more effectively to the national child protection emergency. In that report, the Board called for "a new commitment, a new comprehensiveness, a new investment in knowledge generation and diffusion, and a greater leadership and flexibility" in Federal activities to combat child abuse and neglect.

In the 1991 report the Board asserted a need for Federal leadership in moving the primary focus of the State and local response to child maltreatment away from reporting and investigation and toward community and neighborhood support for families. State and local governments, by primarily focusing on the identification of child maltreatment victims as well as on crisis intervention, have created an illusion that community responsibility for the prevention and treatment of child abuse and neglect has been fulfilled.

The Board expressed its conviction that for the Federal Government to assure that all children in America are adequately protected--and that all parents acquire the skills and support needed to care for their children adequately--the Federal Government must facilitate community efforts to protect children. Paradoxically, such efforts are hindered by the existing Federal legislative framework for child protection.

The primary Federal statute specifically addressing the problem of child maltreatment is the Child Abuse Prevention and Treatment Act (CAPTA). The National Center on Child Abuse and Neglect (NCCAN) is the agency within the Department of Health and Human Services (DHHS) with responsibility for carrying out CAPTA.[2]

The National Center on Child Abuse and Neglect administers several small programs of financial assistance to the States: Basic State Grant; Children's Justice Act Grant; Prevention/Challenge Grant; and the Medical Care Neglect/ "Baby Doe" Grant.[3] It also awards research, demonstration and training grants, supports an information clearinghouse, and collects data related to the incidence of child maltreatment.

The enactment of CAPTA in 1974 enshrined the approach that child abuse and neglect is a problem that primarily can be addressed within the social services part of the Executive Branch. That approach ignores the reality that addressing child maltreatment requires coordinated, interdisciplinary efforts.

---

[2] The level of authorized funding for CAPTA has always been relatively small in view of the gravity of the problems NCCAN must address. Despite this, CAPTA authorizations have always greatly exceeded appropriations. No President has ever asked Congress either to raise the level of CAPTA authorizations significantly or to appropriate full funding for CAPTA.

[3] In its 1991 report, the Board noted several critical shortcomings in the statutory design of these programs:

- The programs are not designed so that their impact upon child protection efforts outside of State and county "child welfare" agencies is maximized;
- The programs are not designed so that comprehensive multi-agency State and community child protection planning is encouraged; and
- Even if such comprehensive planning is not possible, the programs are not designed so that States integrate their planning for all of the CAPTA programs.

In contrast, the 1991 report held that Federal agencies responsible in multiple areas must be involved in:

- Formulating individual agency efforts and responses;
- Working collaboratively to promote services integration; and
- Developing and disseminating knowledge about effective responses.[4]

To achieve a comprehensive and coordinated Federal response the report strongly emphasized the need for:

- An explicit national child protection policy that, as part of the U.S. Code, would guide the child protection-related activities of all Federal agencies;[5]
- Collaboration among Federal agencies in policy formulation, program design, and investment in joint funding ventures;
- Federal inter-agency activities designed to eliminate the barriers at the State and local levels to the coordination of social service, mental health, education, justice, and private nonprofit agencies and organizations;
- Clarifying that NCCAN's primary responsibility is the strengthening of State and county child protective services agencies;

---

[4] In the report, of the 29 recommendations and 149 Options for Action (alternatives for effecting the recommendation in both the Legislative and Executive Branches), 54 were directed to the Congress; 67 to the Secretary of Health and Human Services (and agencies within DHHS); 18 to the heads of all relevant Federal agencies; eight to the Secretary of Education; four to the Attorney General; two each to the Secretary of Housing and Urban Development and the Director of the Office of Management and Budget; and one each to the Secretary of the Interior, the Secretary of Agriculture, the President of the Legal Services Corporation, the Director of the State Justice Institute, the Director of ACTION, and the President of the United States.

[5] In 1992 Congress added a set of findings to CAPTA. Those findings satisfied this recommendation only partially. A principal difference between the findings and the Board's proposed National Child Protection Policy (which originally appeared on pages 41-49 of the 1991 report) is that the findings do not contain a directive to Federal agencies to reshape relevant programs accordingly. In this report the Board's proposed policy can be found in Part III.A.4.

- Requiring (or as an alternative, piloting) a new, comprehensive State child protection planning process as the major eligibility condition for receipt of all Federal child welfare and protective services funding to the States (i.e., CAPTA, Titles IV-E and IV-B of the Social Security Act, and the Social Services Block Grant);[6] and

- Establishment of an agency or entity to plan and coordinate all of the activities which comprise the collective Federal child protection effort.

Other significant recommendations in the 1991 report included a call for:

- Piloting by DHHS of models for universal, voluntary home visitation for new parents. In making this recommendation, one of two especially critical proposals in its 1991 report (the other being enactment of a national child protection policy), the Board noted that "no other single intervention has the promise for preventing child abuse that home visitation has."[7]

- Enacting comprehensive Federal child welfare and family preservation services reform legislation,[8] and funding the Young Americans Act of 1990 at a level adequate for full implementation of that legislation;

- Prohibiting the use of corporal punishment in any activity, program, institution, or facility receiving Federal funds;

- Facilitating, through Federal leadership, the use of volunteers in child maltreatment prevention and treatment programs, as well as greater involvement of the religious community in the prevention of child abuse; and

---

[6] The Board believes in the goal of eliminating multiple State plans required by different Federal grant programs, as well as in providing authority to Federal agencies to waive any grant requirements that might impede the blending of funding from different Federal programs and agencies to enhance child protection efforts.

[7] Implementation of this recommendation has, to date, been mainly a response from the private sector: the National Committee for Prevention of Child Abuse, supported by the Ronald McDonald Children's Charities, is leading an effort to accomplish the goal of nationwide, universal, voluntary home visitation programs. This effort is called "Healthy Families America."

[8] Child welfare and family support reform legislation to make badly needed resources available for strengthening and preserving families was passed in 1992 by the 102nd Congress (as H.R. 11) but vetoed by President Bush.

- Developing, implementing, and evaluating a set of standards of practice for child protective efforts carried out by Federal agencies such as the Department of Defense.

During 1992 the 102nd Congress addressed the reauthorization of CAPTA. The Board anticipated that, in connection with this reauthorization, both the Congress and the White House would reexamine the Federal approach to child abuse and neglect.[9] Such a reexamination did not occur, the reauthorization did not remedy the major shortcomings that the Board had noted, and the responsibilities of NCCAN remained broad.[10]

However, Congress did amend CAPTA in a number of ways that began to respond to recommendations from the Board's 1990 and 1991 reports. Specifically, the amendments strengthened the basic State grant and child abuse prevention grant programs, enhanced the review process for Federal child abuse and neglect grant applications, and encouraged more volunteer involvement in child protection activities.[11]

Although the 1992 amendments reauthorized CAPTA through the end of Fiscal Year 1995, the Board hopes that the 103rd Congress will reconsider the Board's 1991 recommendations. The context for doing so should be a comprehensive review of Federal efforts related to child protection including the efforts of education, health, mental health, justice, and social services agencies, as well as how those efforts impact on the activities of private sector agencies and organizations.

The end product of this review should be a package of legislation to address the national child protection emergency. The development of such a package will require the Congress to overcome fragmented committee jurisdictions.[12]

---

[9] Testimony by the Board's first two Chairpersons before Congressional bodies about needed changes to CAPTA appears in Part III.A.1 of this report, as do Board-proposed amendments to CAPTA that would strengthen the effectiveness of the Board.

[10] The complete text of CAPTA, as amended during the 102nd Congress, can be found in Appendix C.

[11] The Board notes that appropriations under CAPTA for Fiscal Year 1993 did not increase significantly, thus undercutting the impact of the amendments.

[12] One vehicle which the Board continues to suggest to the Congressional leadership is consideration of the use of a "chain bill." Under such a bill, a series of interlocking pieces of legislation are introduced and enacted simultaneously. In this instance, the connecting link among all the legislation would be common references to CAPTA.

C. THE U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

The Board, established under Section 102 of CAPTA,[13] is required to prepare an annual report to the Secretary of Health and Human Services, appropriate committees of the Congress, and the Director of NCCAN. Those reports are to contain an evaluation of the nation's efforts to accomplish the purposes of CAPTA and development of recommendations about ways that those efforts can be improved.

In its continued work, the Board has been particularly guided by the remarks of former Secretary Louis W. Sullivan during the May 30, 1989, ceremony at which he swore in the first members. The Secretary charged the Board as follows:

> *"For me, for my colleagues in the Department, you are not going to be an advisory board. You are going to be working partners....*
>
> *That means hard work. That means candor. That means that I want not only recommendations and suggestions from you but criticism as well....*
>
> *First, I ask that you take an inventory of where we have been and where we are so that we can better chart our compass for the future.*
>
> *Look first at the Federal effort, programs, direction. Are we spending...dollars entrusted to us by the Congress and the President with insight, imagination and effectiveness?*
>
> *Are the Federal inter-departmental gears meshing smoothly and productively? How can we make sure that our colleagues in [other departments] have the same sense of urgency about this problem [that] we have?*
>
> *Are our communications with the States and municipalities as good as they can be?*

---

[13] Material describing the Members of the Board, its staff, and organizational structure is found in Appendix A.

> *...Given the dollar crunch, what can we do to help the States do their all important job better?...*
>
> *Excepting budgetary constraints, there are no 'off limits' signs on my charge to you."*[14]

Guided by this message, the Board dedicated itself to the long-term development of a new, carefully planned, coherent approach for assuring the safety of American children and promoting the competency of American families--***a comprehensive, child-centered, family-focused, neighborhood-based approach***. While the development of this approach has been a continuing element in each of the Board's reports (including this one), it is the 1993 report in which the new approach will achieve its most complete expression.

D. OVERVIEW OF THIS REPORT

In the remainder of this report, Part II describes the activities of the Board during the period between September 1, 1991 and December 31, 1992.[15] Those activities are divided into four categories:

- The response of the Board to major public policy issues;
- The development of a proposed new child protection strategy;

---

[14] The Board is pleased that former Secretary Sullivan, in remarks at a national meeting on child abuse and neglect convened by DHHS on December 6, 1991, acknowledged that the Board "has been a catalyst for change on behalf of abused and neglected children." Secretary Sullivan also acknowledged at that time that the Board's call for more visible leadership by the Secretary had "in a very significant way" been responsible for the first Secretarial Initiative on Child Abuse and Neglect in the history of DHHS.

It is the hope of the Board that Donna Shalala, the new Secretary of Health and Human Services, will expand upon this Initiative. The Board encourages Secretary Shalala to take even more significant actions to make the prevention and treatment of child abuse and neglect a Departmental priority.

[15] In late October 1992, the first new appointees from the public were named to the Board. These individuals (Enid A. Borden, Jane Nady Burnley, James H. Egan, Lawrence F. Potts, and Prince Preyer, Jr.) participated neither in the activities described in this report nor in its development. Responsibility for the contents of this report rests with the departing and continuing members (1989 appointees).

- The development of a proposed national policy to prevent child maltreatment-related fatalities; and

- The development and reassessment of Board positions on a variety of topics, including the connection between urban unrest and child maltreatment, management of Federally supported knowledge-building activities, and reform of child protective service (CPS) agencies.

Part III consists of a considerable amount of narrative material produced by, requested from, or related to, activities in the four categories listed above. That material is:

- Testimony delivered to the Congress;

- The text of a Board-drafted legislative proposal;

- Correspondence between the Board and various agencies and individuals;

- Lists of participants and witnesses in various Board activities;

- A list of child protection programs visited by the Board;

- The text of two formal statements issued by the Board;

- A list of background papers prepared for the Board;

- The text of a concept paper developed for the Board by member Frank Barry; and

- A detailed summary of a symposium convened by the Board.

The Appendices to this report consist of:

- A list of the membership, staff, and committee structure of the Board during 1991-1992;

- A complete list of all persons appearing before the Board at official meetings;

- A complete text of the Child Abuse Prevention and Treatment Act (current as of the date of this report);
- A report from the Initiative on Child Abuse and Neglect of the Secretary of Health and Human Services; and
- A report from the Inter-Agency Task Force on Child Abuse and Neglect.[16]

---

[16] Although the activities described in the reports from the Initiative and the Inter-Agency Task Force were not activities of the Board, they are included in the Appendixes for informational purposes.

II. ACTIVITIES OF THE BOARD DURING 1991-1992

A. THE RESPONSE OF THE BOARD TO MAJOR PUBLIC POLICY ISSUES

During 1991-1992, in addition to developing major reports (see Part II.B-D), the Board continued to render advice on a number of occasions both to Congress and to DHHS. The focus of that advice was on Federal child protection policy. Usually, the Board was requested to provide advice; in a few instances, the Board did not hesitate to offer unsolicited advice where it thought that this was appropriate.

Examples of such advice are:

- Testimony provided by its first two Chairpersons before Congressional committees concerning the reauthorization of CAPTA;
- A set of proposed amendments to CAPTA designed to strengthen the Board, broaden its membership, and clarify its responsibilities;
- Comments provided to DHHS consisting of recommendations for NCCAN's research and demonstration project activities for 1992-1993; and
- A letter to a U.S. Senator describing the Board's concern over a proposed limited-focus law entitled a "National Child Protection Act."

Copies of these documents are found in Part III.A.1-2.

While meeting in Los Angeles during 1992, the Board also participated in a discussion on child abuse policy and public education. Among those present were representatives of the entertainment and news media industries (e.g., producers, editors, writers) interested in the topic of child abuse. The discussion addressed how child maltreatment issues could be better, and more thoroughly, examined in films, television, and newspapers. A list of media participants is found in Part III.A.3.a.

Finally, the Board issued two public policy statements: a Board statement highlighting citizen roles in responding to the child protection national emergency; and a Board statement supporting prompt U.S. ratification of the Convention on the Rights of the Child.

1. Citizen Roles in Responding to the National Emergency

In its first two reports, the Board focused on the theme that child maltreatment is a preventable national disaster. However, these reports centered on the response of government, and not on what every citizen can do about the national child protection emergency.

Anticipating that the September 1992 nationwide airing of the Scared Silent television documentary on child abuse would be watched by a huge audience, the Board decided to alert Americans to the policy issues that it knew were not covered by the program. The Board therefore issued a statement called "A Challenge to the Nation" (the text of which is found in Part III.A.3.b).

In the statement the Board notes that "hundreds of thousands of Americans each year" are having "their childhoods destroyed" because nothing significant is being done about the Board-declared national child protection emergency. To help address this, the Board provides American citizens with a series of eleven questions about child abuse and neglect to ask all elected officials and candidates for office, as well as a list of twenty-six concrete activities in which they can participate.

The Board has recognized the national child protection leadership potential of Ms. Oprah Winfrey, who was the on-screen host/narrator of Scared Silent, as well as the documentary's producer, Mr. Arnold Shapiro. It has therefore written to both of them suggesting future roles that they can play in addressing child abuse and neglect.[17] These letters are found in Part III.A.3.c-d.

2. Convention on the Rights of the Child

In developing its proposed National Child Protection Policy (see Footnote 5), the Board found helpful a number of provisions in the United Nations Convention on the Rights of the Child. The Convention, developed during the 1980's with considerable American participation, was adopted unanimously by the U.N. General Assembly in November 1989.

---

[17] The Board is pleased to hear that, as of the writing of this report, Arnold Shapiro Productions is at work on another child abuse documentary focusing on the views, and recommendations to their peers, of abused children.

The Convention is a comprehensive compilation of rights--including civil-political, economic-social-cultural, and humanitarian--which an overwhelming majority of the nations of the world have agreed are the minimum rights that governments should guarantee to children. Although all aspects of the Convention are relevant to child protection, the provision most directly applicable to the policy concerns of the Board is Article 19. That article states that governments:

> "shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse ... (including) ... necessary support for the child and for those who have care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment, and follow-up ..."

Often, the primary significance of international human rights conventions is moral. However, depending on the terms of ratification, such conventions can have the force of law within ratifying nations.

The process of ratification includes, as a preliminary step, the signing of the international convention by the nation's chief executive. This action represents a governmental promise to review the convention with an eye toward future ratification. As of the date of this report, over 120 nations--including almost all the world's major democracies--have ratified the Convention on the Rights of the Child. Sadly, the United States of America has neither signed nor ratified this important human rights treaty.

In the United States, when a President signs a convention, he/she then transmits it to the Senate. In contacts with child protection experts and advocates from other nations, Board members have been asked during the past three years why the President had not signed the Convention and requested the Senate to ratify it. Because the Bush Administration never publicly explained the reasons for the delay, it has been impossible to provide an informed response.

Recognizing that the child-centered focus of the Convention mirrors the Board's proposed national child protection strategy, the Board believes that the Convention's fifty-four Articles can become an important American policy instrument for the protection of the physical and psychological integrity of the nation's children. Thus, during the Ninth International Congress on Child Abuse and Neglect held in August 1992 in Chicago, the Board released a statement (the text of which is found in Part III.A.4) in support of prompt U.S. ratification of the Convention.

B. DEVELOPMENT OF A NEW NATIONAL CHILD PROTECTION STRATEGY

1. Nature of the Strategy

In its 1990 report, the Board pledged that in the years to come it would endeavor to design and propose a new national strategy for protecting the children of the United States. The strategy would be **comprehensive, child-centered, family-focused, and neighborhood-based.**

The Board said that design of the strategy would preoccupy its work for several years, and that the strategy would be detailed incrementally in its future reports. Although the final shape of that strategy is still evolving, its outline is by now discernible.

As the Board uses the term, a ***comprehensive*** child protection strategy would:

- Integrate the contributions of social service, legal, health, mental health, and education professionals;
- Provide for coordinated roles of (a) private child welfare and mental health agencies, (b) civic, religious, self-help, and professional organizations, and (c) individual volunteers;
- Assure the protection of children while in each of the relevant service systems;
- Provide for coordinated roles of all levels of government, in cooperation with the private sector; and
- Ensure that adequate provision is made in the child protection system for prevention, investigation, adjudication, and treatment.

A ***child-centered*** child protection strategy would:

- Take children seriously as individuals;
- Give primary attention to their best interest, as reflected in their needs and experiences;
- Provide opportunities and such representation as may be necessary for children to be heard in matters pertaining to them (when children are capable of such expression); and
- Respond flexibly to the diversity of their cultural backgrounds and the circumstances in which they find themselves.

A ***family-focused*** child protection strategy is one which recognizes the paramount importance of the family for the development of children.[18] Actions consistent with such a strategy aim at:

- Strengthening families in general to minimize the circumstances that may cause or precipitate child abuse and neglect;
- Supporting and enhancing family functioning in a manner which increases the competency and self-sufficiency of families;
- Providing intensive services to avoid the removal of children from family environments at times of crisis; and
- Making all reasonable efforts to reunify families when abuse or neglect has resulted in removal of a child.

In most instances, a *child-centered* strategy would imply a *family-focused* approach in which relationships important to children are protected. The Board, however, recognizes that there are instances in which children's safety is so compromised in their families that those relationships must be intruded upon or severed.

---

[18] The Board's emphasis in this regard is compatible with the broader family support, family preservation, and child welfare reform movements currently occurring within American social welfare.

Acknowledging that such coercive intervention is sometimes necessary, the Board has nonetheless started its inquiry by attempting to conceptualize a voluntary system of prevention and treatment. It has done so in the belief that an initial focus on the question of when coercive intervention is justified leads to an overemphasis on investigation.

A ***neighborhood-based*** child protection strategy is one in which:

- Primary strategies would be focused at the level of urban and suburban neighborhoods and rural communities;
- Social and economic supports for troubled families and children would be developed at the neighborhood level, where neighborhood is defined by geographic boundaries; and
- Both formal and informal services (e.g., self-help programs) that are based on the principle of voluntary help by one citizen for another would be widely available, regardless whether access to such services is determined by place of residence.

In other words, *neighborhood* is being conceptualized in both geographic and psychological terms.

Some initial ideas about principles that would guide the implementation of a new child protection strategy are:

1. Activities should include a focus on increasing connectedness among people[19]

2. Activities should include a focus on development of actual and self-perceived competence of parents

3. Activities should include a focus on development of actual and self-perceived competence of neighbors as helpers[20]

4. Neighborhood residents should be actively involved in the design and implementation of child protection activities

5. Activities should occur in all sectors of society

6. Efforts should be made to develop significant roles for youth in the community and to enhance their active participation

7. Efforts should be made to develop and strengthen links between the neighborhood and external resources (e.g., government; business; volunteers from other neighborhoods)

8. Activities should occur "where people are" (e.g., child protection efforts should be built into the settings that are important in everyday life; services should be easily available and accessible within neighborhoods; services should be available outside conventional office hours)

---

[19] A program, whether preventive or therapeutic, that is directed toward an individual family should include enhancement of the family's social network. For example, a program for visitation to homes of infants and toddlers might serve as a base for support groups for parents of children in particular birth cohorts.

[20] Note the significance of this principle in the light of research showing the importance of reciprocality--mutual assistance--in social support.

9. Settings should be provided where parents and children can gather, interact, support, and learn from each other

10. Activities should include material supports when possible and relevant

11. Services should be integrated and coordinated (e.g., build on existing service-system reform efforts; use existing community support systems)

12. Activities should be designed and implemented with due attention to individual and cultural differences in communication, values, and beliefs

13. Activities should be designed and implemented in a manner consistent with the protection and promotion of the dignity of children and youth[21]

14. Activities should be designed and implemented in a manner that shows due respect for the relationships important to children and youth

15. Activities should include evaluation components whenever feasible

2. Gathering Information Related to the Strategy

Throughout 1991-1992, a major thrust of the Board's activities has been gathering information that will help it in developing that new strategy. Activities have included: commissioning scholarly background papers; conducting four hearings throughout the country; convening three issue-focused symposiums; and participating in one field visit.

---

[21] For example, programs should include elements that provide primary attention to children; children should participate in decision making, and they should be informed in developmentally appropriate ways about matters that affect them.

a. Scholarly Papers

Six background papers have been commissioned, drafted, and reviewed by the Board. The topics addressed by these papers are:

- Neighborhood-Based Programs
- Socio-cultural Factors in Child Maltreatment
- Child Protection and Out-of-Home Care: System Reforms and Regulating Placements
- The Role of Material Factors in Child Abuse and Neglect
- Social Support and the Prevention of Child Maltreatment
- The Role of Intervention and Treatment Services in the Prevention of Child Abuse and Neglect

The Board intends to publish these papers as a supplement to its 1993 report. A list of these papers and their authors is found in Part III.B.1.a.

To help both the authors of the papers as well as Board members in better understanding what the Board means when it states that the new national child protection strategy must be "neighborhood-based," Frank Barry, a member of the Board, developed a concept paper on that subject. This paper can be found in Part III.B.1.b.

b. Hearings

In Minneapolis, the Board heard from witnesses how Hennepin County's comprehensive child protection efforts have been successfully focused on neighborhood-level services to children and families and why this approach is considered a model by national child welfare organizations. In Chicago, the Board took advantage of the presence of child protection experts from other nations who were attending an international conference on child abuse and neglect to hear about child protection strategy innovations in other countries. In Columbia, Missouri, and New Brunswick, New Jersey the Board heard from a multidisciplinary group of political, child protective program, and justice system leaders about State and local reform efforts that might fit into a new American child protection strategy. The witnesses who testified at each of these hearings are listed in Part III.B.2 of the report.

c. Symposiums

Invitational symposiums were convened by the Board on the subjects of: Child Sexual Abuse Prevention, Education, and Treatment; Foster Care as a Child Protective Service; and Diverse Perspectives on Child Maltreatment. These symposiums aided the Board in understanding how such important topics relate to the need for, and might be incorporated within, a new national strategy.

1) Child Sexual Abuse

In addressing this topic, the Board explored a number of issues through symposium presentations and a memorandum written by Richard Krugman, the Board's first Chairperson. These issues included:

- The need to address the particular vulnerability of children with disabilities to this form of maltreatment;
- The importance of having (and possibly mandating) community-based multidisciplinary child protection teams and neighborhood diagnostic services in responding to these cases;
- The need for new system accountability mechanisms to receive and address complaints about agency responses (e.g., government ombudsman programs addressing concerns about the functioning of the child protection system);
- The necessity to re-focus child sexual abuse prevention efforts--in the media and in treatment programs--on the responsibility of adults to protect children from sexual abuse;
- The significance of teaching adolescents what is, and is not, sexually acceptable behavior;
- The critical need for an increased level of mental health intervention for sexually abused children;

- The importance of an expedited "system" response for victims, parents, and professionals;

- The need for mental heath service agencies to provide treatment to child victims and their families in neighborhood-based settings;

- The need to eliminate the barriers to the use of crime victim compensation and crime victim assistance funds to pay for the provision of such treatment;

- The importance of stressing that, while all child sexual abuse is criminal, attention must be paid to developing strategies that will better protect the thousands of sexually abused children whose cases never see the light of the criminal justice system.

Participants in this symposium are listed in Part III.B.3.a.

2) Foster Care

In the Board's consideration of the American foster care crisis, it heard from foster care system experts who focused the Board's attention on:

- The worsening of America's foster care crisis since the Board issued its first report (based in part on the explosion of the number of children entering care, the increased intensity of their needs, and the fact that foster parents are leaving the system at a faster rate than they can be replaced);

- Policies, programs, and practices that might be worthy of being made universal, and how this can be accomplished;

- How foster care can become a more "child-centered, family-focused, and neighborhood-based" service in which there is fuller community participation; and

- Why foster parents must be treated with greater respect from child welfare agency personnel and should be more involved in decision-making for their foster children, including participation in administrative and judicial proceedings affecting the children.

The Board believes that a new Federal commitment will be needed if proposed foster care system reforms are to be implemented nationwide. Genuine support services for all foster parents, too-often non-existent, will be a critical factor in retaining--rather than as now steadily losing (an estimated 30,000 annually)--good foster homes. In-service training for all foster parents will be urgently needed to help them face the almost impossible task of coping with, much less helping, disturbed kids in their care.

Further, social services agencies will have to stop regularly overloading foster homes beyond the foster family's ability to provide a safe, let alone nurturing, environment. Governments will have to address the reimbursement rates provided to foster families--now averaging about $300/month--which is far below the actual expenses incurred by foster families. Finally, there will have to be a re-framing of what the foster care model is, and how its use can be appropriately limited, in the context of neighborhood-based child protection.

Participants in this symposium are listed in Part III.B.3.b.

3) Diverse Perspectives

The third symposium conducted by the Board was entitled Creating and Maintaining Caring and Inclusive Communities. The Board spent two days discussing:

- Diverse perspectives on neighborhoods and communities;
- Existing neighborhood and community-based services;
- Existing neighborhood and community-based grassroots and volunteer programs in child protection;
- Strengthening diverse neighborhoods and communities; and
- Diverse perspectives in child protection.

During these sessions, the Board learned about child protection issues of importance to members of the Native American, African-American, Hispanic-American, and Asian-American communities; community grass roots organizers; community planners and developers; providers of school-based services; leaders of self-help groups and child abuse survivor programs; and professionals who work within the child protection, medical, and legal systems.

The Board believes that the information presented and discussed at this symposium is of such importance that it has included a detailed summary of the presentations and Board dialogue in response thereto in Part III.B.3.c. Participates in this symposium are also listed in Part III.B.3.c.

d. Field Visit

While in Minneapolis, the Board divided into small groups and visited a variety of private programs funded by Hennepin County. These programs are worthy of consideration as models for the delivery of neighborhood-based child protective services. Programs visited are listed in Part III.B.4.

* * * * * *

The Board continues to welcome suggestions on the scope and focus of the new national child protection strategy. It is particularly interested in the perceptions of national, State, local, and private agency officials concerning the feasibility of implementing a comprehensive neighborhood-based strategy. It hopes that the strategy it presents will generate considerable public policy debate, both within and outside of government.

C. CHILD MALTREATMENT-RELATED FATALITIES

No aspect of child abuse and neglect is more visible in the media than the estimated 1,200 to 5,000 deaths of children annually resulting from parental or caretaker maltreatment. In both its 1990 and 1991 reports the Board called for comprehensive, collaborative Federal planning and coordination efforts addressing:

- Prevention of serious and fatal child maltreatment;
- Multidisciplinary child death case review;
- Proper identification and response to child fatalities by social services, public health, and criminal justice systems;
- Attention to Federal laws and regulations that may impede collaboration at all levels of government in the investigation, intervention, and review of suspected child fatalities;
- Model protocol and procedure development;
- Uniform child fatality national data gathering and analysis; and
- Research and training related to child fatalities, including a focus on how government responses to child deaths may help prevent child maltreatment generally.

In 1988 legislation was enacted creating a Presidential Commission on Child and Youth Deaths to study all aspects of child fatalities, including deaths that are intentionally caused or which occur due to parental neglect. To the dismay of the Board, the White House failed to implement this legislation, and Congress failed to appropriate any funds for the Commission.

In response to the 1990 and 1991 Board reports, efforts under the auspices of the DHHS Initiative on Child Abuse have included a focus on child maltreatment fatalities. Also, in the 1992 amendments to CAPTA, Congress conferred upon the Board new responsibilities related to child deaths resulting from abuse or neglect. The Board was given two years to submit to the Secretary of Health and Human Services and Congress a report, with recommendations, on:

- A national policy designed to reduce and ultimately prevent child and youth maltreatment-related deaths, detailing appropriate roles and responsibilities for State and local governments and the private sector;
- Specific changes needed in Federal laws and programs to achieve an effective Federal role in the implementation of the policy; and
- Specific changes needed to improve national data collection with respect to child and youth maltreatment-related deaths.

The Board views the Congressional commissioning of a comprehensive report on fatal child abuse and neglect as an opportunity to examine these deaths as a prism through which the national child protection emergency can be more clearly understood. During 1992, as it began the process through which the report will be developed, Deanne Tilton Durfee, Vice-Chairperson of the Board, developed a concept paper which established a philosophical framework for the Board's deliberations.

The Board believes that child maltreatment-related fatalities represent the ultimate failure of the nation's child protection system. Yet, the review of child fatalities illustrates that the death of any child from abuse or neglect is only a heartbeat away from the serious injuries, permanent disabilities, and near-death experiences that thousands of children survive each year.

To the Board, the ultimate horror is that fatality victims of child maltreatment may be more "fortunate" than those children who manage to live after suffering shaken baby syndrome, near suffocation, egregious head trauma, or other assaults. Such abuse survivors may spend a lifetime limited by severe developmental disabilities, other neurological damage, and sometimes a sightless and soundless world. Children who are not starved to death may live with permanent mental and physical impairments caused by severe malnutrition. Tiny victims who do not succumb to inflicted burns will have to experience the pain and suffering of repeated surgeries and disfigurement.

Clearly, the lessons the nation can learn from both fatal and nonfatal severe injury are not separate. Studying the governmental response to child fatalities thus provides an opportunity for grim, yet profoundly important, lessons in the total approach to child abuse and neglect prevention and treatment.

The children who are the most vulnerable to serious as well as fatal child maltreatment are those least visible to communities, as well as to educational and protective service systems. A socially isolated parent may be the only adult to witness the short and tragic life of a pre-school age victim. Tragically, many of these deaths are often highly preventable even if they are not predictable.

The process through which, in May 1994, the Board will satisfy its new Congressional mandate involves commissioning background papers, holding public hearings, and collecting/reviewing extensive materials on various topics related to child maltreatment fatalities. During 1992, as first steps in the process, the Board held a hearing (intended to be the first of several) on the topic of governmental response to maltreatment-related fatalities. The Board also attended (under assurances that information discussed would be held confidential) a meeting of the Child Death Review Team of the Los Angeles County Inter-Agency Council on Child Abuse and Neglect, the nation's premier local multi-agency body reviewing suspected child maltreatment-related deaths. Part III.C of the report contains both lists of witnesses at the hearing and the participants in attendance at the Child Death Review Team meeting.

D. DEVELOPMENT AND REASSESSMENT OF BOARD POSITIONS ON A VARIETY OF TOPICS

The Board is constantly re-examining issues on which it already has made recommendations, as well as examining issues on which it has not yet made recommendations. In this connection, during Board meetings held in 1991-1992, individuals appearing before the Board addressed a variety of important topics. These included: the role of the clergy in the prevention of child abuse; the need for a more intensive response to the problem of abuse of children with disabilities; and the use of parent aides and other paraprofessionals in preventing child maltreatment.

Also, in this connection, during 1991-1992 the Board commissioned the development of material by several members on critical topics related to child maltreatment. The first of these efforts addressed the connection between urban unrest and child maltreatment. The second addressed the management of Federally-support research on child maltreatment. The third addressed the priorities for reform of America's State and local child protective services (CPS) agencies. All of these efforts may result in the inclusion of material in future annual Board reports, special reports, or position/policy statements.

1. Urban Unrest, Neighborhood Decline, and Child Maltreatment

Subsequent to the April 1992 civil disorders in Los Angeles, Joyce London Mohamoud, a member of the Board, guided the Board toward a lengthy exploration of the connections between the decline in neighborhood quality and the abuse and neglect of the nation's children. Through those discussions the Board came to the perception that the roots of urban unrest are related to child abuse and neglect.

Whether it takes the form of random street violence which claims the lives of an increasing number of children, the open-air drug markets that prey on teenagers, or the anger and tension that flared into the Los Angeles riots, the effect of urban unrest is widespread. It assails Americans in the neighborhoods in which they live or drive through, and it penetrates their consciousness through television.

The Board believes that in neighborhoods characterized by dangerous physical environments and high rates of crime, the unrest claims many victims beyond those directly involved:

- Children undergo a profound increase in fear, and parents face an exceptionally difficult task in keeping their children safe;
- Neighborhood residents come to believe that they have minimal control over their lives; and
- As adults continuously face such grave challenges, they push away from each other, their energy is depleted searching for a safe haven, and their motivation to sustain their community diminishes.

The result, for all, is a sense of helplessness.

Coupled with poverty, where families are faced with the struggle merely to survive, this decline in neighborhood quality is an important factor in the prevalence of child maltreatment. Child abuse and neglect is less likely to occur in neighborhoods in which people trust each other, where there is active leadership, and where parents know each other's children, care about them, and reach out to help them.

The Board is convinced that violence toward children, whether inflicted on the street by persons outside their families, or inflicted in their own homes by members of their families, reflects an unraveling of the social fabric. Such violence must be ended. The Board will address this concern in its 1993 report.

2. Management of Federally Supported Knowledge-Building Activities

Federally supported knowledge-building activities include research, data collection, demonstrations of new approaches/techniques developed through research, evaluation, professional education, and pre- and in-service training. From the Board's inception in 1989, the role of the Federal Government in managing knowledge-building activities related to child abuse and neglect has been a matter of continuing concern.

In its 1991 report, the Board found several critical deficiencies in the way that role has been, and is being, executed:

- Inadequate investment in research;
- Insufficient generation of basic statistical information about the prevalence of child maltreatment and the child protection system's response to it;
- Lack of rigorous evaluation of funded projects;
- Low visibility, incompleteness, and instability of the national child protection clearinghouse/data base; and
- Severely limited support for child maltreatment-specific professional training and curricula development.

In the view of the Board, the cumulative result of such deficiencies is a "level of practice in which critical decisions that affect the lives of children and families are often made with little scientific foundation." These decisions are made daily both by policy-level officials as well as "front-line" workers.

Every day, at both the policy level and on the front lines:

- Child welfare agency administrators must attempt to design agency intervention procedures that children and parents, as well as the public, will regard as fair;
- State and county officials must decide whether to invest public funds in a particular approach for the prevention and treatment of child abuse and neglect;

- CPS workers and their supervisors must decide whether the risk to a child at home is so grave that the child must be placed immediately in foster care or that a particular in-home intervention could allow the family to remain safely together (or a child be returned home);
- Mental health clinicians must provide treatment to neglected and physically, sexually, and emotionally abused children (and adult abusers) and make recommendations regarding the competence of a child's caretakers and the child's safety; and
- Judges must determine the appropriate course of action to take in regard to both abused children and perpetrators of abuse who appear in their courtrooms.

The importance of all these decisions is undeniable; sometimes they even deal with matters of life-or-death. With the present state of knowledge, however, such decisions are too often made on mere hunches. Worse, in large part because of a lack of strong Federal leadership in support of child maltreatment research, the information needed to guide such decisions simply does not exist.

Concluding that the subject of management of knowledge-building activities needed deeper treatment than it had received in the 1990 and 1991 reports, the Board commissioned Gary Melton, Vice-Chairperson of the Board, to develop a special report. Following its customary practice of sharing intermediate drafts of documents with the interested professional community, the Board provided copies of a draft version of the special report to scientific organizations as well as to members of the Federal Inter-Agency Task Force on Child Abuse and Neglect. The comments received on the draft special report were so diverse that the Board decided to delay release of a final version while it continued to refine its thinking.

In 1991 DHHS commissioned the National Research Council of the National Academy of Sciences to conduct a major study of the gaps in all aspects of child maltreatment research and to recommend research needs and priorities for the remainder of this decade. The report from the National Academy is due shortly. Although the primary focus of the report is not management issues, the Board hopes that an indirect outcome will be a large-scale commitment throughout the Federal Government to a significant increase in the level of funding for child abuse and neglect-related knowledge-building activities with concomitant attention to the management of such activities.

3. The Importance of Federal Leadership in CPS Agency Reform

The child protective service (CPS) agencies within State and local government are the most visible segments of the child protection system. That visibility contributes to the perception of the general public that responsibility for the protection of children lies solely with CPS agencies. Unfair as it may be, when "the system" fails and a child dies (or is wrongfully removed from home or kept in the limbo of foster care), the media and the courts blame the CPS agency.

Although the Board, from its inception, has asserted the central importance of CPS in child protection, it has also continued to assert that the CPS function alone can not solve the national child protection emergency. As the Board stated in its 1990 report:

> "Although the child protective services (CPS) agency is the one agency that is mandated by law to carry out a comprehensive set of responsibilities related to abused and neglected children, an assessment of society's response to child abuse and neglect must consider the child protection system as a whole. The child protection system is a complex web of social service, legal, law enforcement, mental health, educational, and volunteer agencies."

In its 1990 report, the Board included more recommendations about the necessity to improve CPS than on any other aspect of child protection. In its 1991 report, the Board found a lack of strong Federal leadership in efforts to ameliorate CPS agency problems.

The problems of CPS which the Board described in 1990 have intensified throughout the nation. The need for Federal leadership which the Board called for in 1991 has increased. CPS agencies face:

- Complex demands for client services;
- Increasing caseloads;
- Inadequately trained workers;
- Dismally inadequate financial compensation for staff; and
- Limited liability protection in an environment of litigation.

Yet, the public resources provided to CPS to meet these demands remain grossly inadequate. Indeed, the CPS crisis is worsening, as State and county budget-cutting requirements have a particularly adverse impact on CPS.

CPS agencies are finding it increasingly difficult to recruit and retain qualified staff. CPS workers--doing some of the most difficult, stressful, and increasingly dangerous work required by our society--are often paid at wages comparable to unskilled labor. In some agencies, CPS turnover is astronomical.

Pre-service training for CPS staff is frequently not required (or inadequate) before workers receive case assignments. Although in-service training is becoming more common, few States assess the competency of their CPS workers.

In the past decade, CPS worker caseloads have skyrocketed in many jurisdictions. Workers may be carrying double, triple, or even quadruple the caseloads recommended by standards set by the Child Welfare League of America. As the success of various models of intensive home-based services to families is more widely demonstrated, CPS agencies are finding it even more difficult to have effective units that follow those models (where caseloads are approximately five cases per worker). Many States do not have any caseload standards for their CPS staff.

CPS staff, faced with a desperate and growing lack of resources, frequently make decisions and develop a case plan based on the availability of services, rather than on the needs of a specific child and family. Parents may be required by CPS-developed case plans to seek treatment, only to find a long waiting period for the service they require, that service provider hours or locations are inconvenient and interfere with employment or child caring responsibilities, or that treatment costs are beyond their means. Many children and families with treatment needs also "fall through the cracks" of a system that does not adequately coordinate social services, mental health, and special education needs.

Few States, if any, can measure CPS agency client outcomes successfully. The nation lacks good data on whether CPS intervention is doing families more good or harm.

Given the scope of this crisis, Federal and State Courts have become major actors in attempting to effect CPS agency reforms. About half of the States have been subject to class action lawsuits instituted on behalf of children or their families. Based on claims of inadequate services and violations of both Federal and State child protection laws, these costly suits have overwhelmed many CPS agencies.

Almost all of these suits have been won or settled on behalf of the children. In some cases, the courts have virtually taken over the on-going supervision of the agency.

Moreover, CPS agency workers and administrators have also found themselves the subject of individual civil damage actions. These suits have been based on: alleged failures to properly investigate, select, or monitor a placement; wrongful removal of children or failure to remove a child where warranted; and breaches of client confidentiality or improper disclosure of information.

The ability of Federal Courts to address the protection of children from abuse and neglect when CPS agencies fail to do so has been limited by two recent U.S. Supreme Court decisions. The first case, DeShaney v. Winnebego County Children's Services, distressingly ruled that children have no substantive due process right to CPS agency protection from abuse at the hands of their parents. The second, Suter v. Artist M., unfortunately held that the Federal child welfare law (Public Law 96-272) did not create individual Federally enforceable rights for abused and neglected children, even those in State custody.[22]

In January 1992, Yvonne Chase, a member of the Board, agreed to guide the Board's efforts to catalyze CPS improvements as well as to identify strategies aimed at ensuring the availability, accessibility, and quality of services for families-in-crisis. To date, those efforts have included: meetings with members of the National Association of Public Child Welfare Administrators and the National Child Abuse Coalition; the Board's hearing and field visits in Hennepin County, Minnesota (see Part II.B); and in-depth full Board discussions about CPS reform.

Currently, the Board contemplates setting forth its views on CPS reform in an expanded format and sharing those views with the nation's Governors. Prior to doing so, the Board will, of course, follow its customary practice of sharing an intermediate draft of that document with the interested professional community.

---

[22] These decisions make local judicial responses to individual child maltreatment cases critically important. Community judges must aggressively address the protection of children. Organizations such as the National Council of Juvenile and Family Court Judges are to be applauded for their attention to this area.

III. DOCUMENTS RELATED TO BOARD ACTIVITIES

A. THE RESPONSE OF THE BOARD TO MAJOR PUBLIC POLICY ISSUES

1. Reauthorization of Child Abuse Prevention and Treatment Act (CAPTA)

a. Testimony before the House Select Committee on Children, Youth, and Families

TESTIMONY
OF

RICHARD D. KRUGMAN, M.D.
CHAIRPERSON
U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

ON

CHILD ABUSE PREVENTION AND TREATMENT IN THE 1990S: KEEPING OLD PROMISES, MEETING NEW DEMANDS

BEFORE

THE SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES
UNITED STATES HOUSE OF REPRESENTATIVES

Denver, Colorado September 15, 1991

Introduction

It is a great honor for me to appear here before you today on behalf of the U.S. Advisory Board on Child Abuse and Neglect. It is among my last official acts as Chairperson. I have had the privilege of serving as Chairperson for slightly more than two years. Under the rules of the Board, my term now nears its end. On September 13, the Board elected Howard Davidson as my successor. He accompanies me today and will assume the burdens of the office at the conclusion of the Ninth National Conference on Child Abuse and Neglect under whose auspices this hearing is being held.

Last evening, just as the Conference began, the U.S. Advisory Board on Child Abuse and Neglect released its second annual report to the Secretary of Health and Human Services and the Congress. The report is entitled **Creating Caring Communities: Blueprint for an Effective Federal Policy on Child Abuse and Neglect**. The report is dedicated by the Board "to the many thousands of American children and families trapped in the throes of abuse and neglect who are waiting for our society, and its governments, to respond to their plight with *more* than just a report, and *more* than just an investigation."

With considerable deliberation the Board made the decision in the Summer of 1990 to release the report here at the Conference. It did so because it wanted, through the release of the report, to draw the attention of the media to the countless individuals who labor ceaselessly in communities throughout the nation to protect children.

It is to make the work of such people easier, it is to make their work less complex, it is to free their time so that they can be more available to these children and their families who need their help so much--that the Board aspires in this report. Indeed, the report begins by suggesting in a case study that, while the workings of a necessarily complex system of Federal policy-making may seem remote from the concerns of maltreated children and their families, it is, in fact, most germane to those concerns.

Summary of 1991 Report

Last year, the Board declared the existence of a national child protection emergency in which hundreds of thousands of children are "being starved and abandoned, burned and severely beaten, raped and sodomized, berated and belittled." The Board noted that the problem costs taxpayers billions of dollars a year.

This year the emergency continues. The report warns that the emergency threatens to disintegrate the nation's social fabric. In the words of the report, "no other problem may equal its power to cause or exacerbate a range of social ills." What is the role of the Federal Government in this situation. Permit me to summarize the major conclusions of the report.

The Board concludes that the absence of a national child protection policy has fostered a response to child abuse and neglect that is "fragmented, inadequate, and often misdirected." Finding that Federal policy has focused "on investigation more than prevention and treatment," the Board describes the current system of response to child abuse and neglect by State and County governments as "overwhelmed and on the verge of collapse."

Thus, in the first recommendation in the report, the Board calls for enactment into law of a national child protection policy. The goal of the policy should be to "facilitate comprehensive community efforts to ensure the safe and healthy development of children and youth." The policy should "drive the child protection-related actions of all Federal agencies."

The report contains an eight-page proposed draft of a policy. It emphasizes the complex nature of child maltreatment, the right of children to live in safety, and the duty of government to ensure that they are protected.

The Board believes that child abuse is such a threat to the nation that, in its other major recommendation, it calls upon the Federal Government to begin the immediate development of a national program of home visits to new parents and their babies by health workers and others. Such help to prevent maltreatment of infants would be voluntary but universal--available to all, not just the poor, to avoid social stigma.

The new home visitation program would be included in a new national, comprehensive, child-centered, family-focused and neighborhood-based child protection system. "Child protection should be an ongoing function of community life," the report says. "Federal leadership and resources should facilitate neighbors helping neighbors."

The development of the home-visitation system should be fostered through a series of pilot projects. The Hawaii State-wide home visiting program--"the star" among such programs--is a possible model for the national system the Board wishes the Federal government to establish.

A nationwide system should build on existing public and private professional and volunteer programs utilizing nurses and community-health aides. In the words of the report, "while not a panacea, the Board believes that no other single intervention has the promise that home visitation has."

Cases of suspected maltreatment are investigated by local CPS (child protective services) agencies. The Board again calls upon the Department of Health and Human Services to strengthen CPS agencies.

As important as strengthening the CPS function is to the Board, however, it is not sufficient. Hence, the report calls for the establishment or strengthening of Federal child protection programs in the areas of health, mental health, education, law enforcement, corrections, housing, cooperative extension, volunteer action, and administration of justice.

Arguing that the lack of coordination among State and local agencies administering Federal funds has impeded communities in their efforts to protect children, the Board also calls on the Federal government to achieve greater coordination among its own child protection programs. The report suggests a new, single State child protection plan as the mechanism for "one-stop shopping" for Federal child maltreatment-related funds.

In other recommendations, the Board calls for banning corporal punishment of children in Federally-supported activities and mobilizing schools and religious institutions in the prevention of child maltreatment. The Federally-assisted activities which use corporal punishment include many of the nation's public and private school systems. The report says that the use of corporal punishment in such activities "is intrinsically related to child maltreatment," and its abolition "must begin immediately." Over 22 states have already abolished the use of corporal punishment in schools.

Finding that all parts of the child protection system are "understaffed, underpaid, undertrained, and often underqualified," the Board recommends major new programs for building knowledge about child abuse and neglect. "Child maltreatment may still be the most underresearched major social problem," the report points out.

Observing that "the nation should show no less concern for the environments its children live in than it does for the environments of endangered species of wildlife," the Board concludes that "strengthening neighborhood environments... must be a critical element of efforts to reduce the incidence and severity of child maltreatment."

Using four case studies of child fatalities to illustrate the thousands of similar cases each year, the Board calls for the Federal government to encourage State and County governments to establish teams of trained specialists from health, social services, and law enforcement agencies to review each case of child death. Such reviews are not required by all States.

Now, I cannot complete this summary of what I consider a near-perfect report without confessing a major flaw. On Page 19 the Board recounts some of the history of the Child Abuse Prevention and Treatment Act. Only after the report had been sent to the printer did I note that, while the role of former Senator Mondale in the passage of that Act is recalled, the role of Congresswoman Patricia Schroeder was inadvertently omitted. The Board apologizes for the oversight and promises that all subsequent editions will be appropriately corrected.

Conclusion

In its 1991 report, without a doubt, the Board is asking for a major commitment by the Federal Government to resolving the national emergency in the child protection system and preventing its recurrence. Indeed, it is going further to demand adoption in law of a policy obligating Federal agencies "to act with due urgency" and "to use all means practicable" so that "all steps necessary will be taken to **ensure that every community in the United States has the resources...required to develop and implement a child protection strategy that will ensure the safety of children"** and in fact will "prevent child maltreatment, whenever possible."

In view of the Federal Government's lack of comprehensive, concerted involvement in child protection thus far, skeptics may reasonably ask whether this blueprint really would make a difference in the lives of children and families. How can changes made "inside the Washington, D.C. Beltway" translate into caring communities across America? Will a major Federal initiative not result simply in new layers of bureaucracy and new reams of paperwork rather than an increase in the level of protection available to children?

The Board's answer is two-fold. First, it makes no apology for the scale of the reform that it is advocating. The scale of the problem of child maltreatment is enormous, its nature is complex, and its significance is profound, both for individual children and families and for the nation.

Second, although the Board concurs that Federal action alone is insufficient for the social transformation that is necessary for the protection of children, it is also clear that such fundamental change cannot occur on a national scale without a reformation of Federal policy. Indeed, it is clear that community change--even more basically, comprehensive services for individual maltreated children and their families--will remain difficult to accomplish without Federal reform.

The Board asks the nation's leaders to consider the changes that will occur at the community level if the Board's recommendations are fully implemented.

- **Local program administrators and practitioners in the child protection system will be guided by a coherent sense of mission.**
- **Neighborhood-based strategies for child protection will be developed in a comprehensive community plan.**
- **Communities will have substantial new fiscal resources for prevention and treatment of child abuse and neglect, and they will have great flexibility in planned integration of such funds.**
- **Communities will have substantial new human resources for the purpose of child protection.**
- **Services will be comprehensive.**
- **Services will be of substantially higher quality.**
- **Child protection will be high on the community agenda.**

In the play, 1776, John Adams sings: "Is anybody there? Does anybody care?" The Board now awaits the answers to the same questions.

b. Testimony before the House Subcommittee on Select Education of the Committee on Education and Labor

TESTIMONY

OF

HOWARD A. DAVIDSON
CHAIRPERSON
U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

ON

THE 1992 REAUTHORIZATION OF THE CHILD ABUSE PREVENTION AND TREATMENT ACT

BEFORE

THE SUBCOMMITTEE ON SELECT EDUCATION
COMMITTEE ON EDUCATION AND LABOR
UNITED STATES HOUSE OF REPRESENTATIVES

Washington, DC February 27, 1992

Introduction

My name is Howard Davidson. I am an attorney and Chairperson of the U.S. Advisory Board on Child Abuse and Neglect. This past September I was elected Chair of the Board--succeeding Dr. Richard Krugman, a distinguished pediatrician, who testified before this Subcommittee last May.

I am pleased to have been asked to present the views of the Board on reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA), the primary Federal law addressing the shameful maltreatment of our nation's children.

Today, in February 1992, you have the opportunity--and the responsibility--to enact the most effective national child protection legislation in the twentieth century. I believe that a significant number of national child protection experts have come to the same conclusion as the Board. Namely, that we need a bill from the House of Representatives that does not merely focus on small parts of the problem--or on one Federal agency, or on one narrow aspect of child maltreatment.

Rather, we need to draw from the collective wisdom of those who work in this field to build the foundation of a **comprehensive, child-centered, family-focused, and neighborhood-based child protection system**. Such a system--by including far more emphasis on prevention, evaluation, quality control, and inter-agency coordination--might even save a great deal of the money that is now being drained from scarce resources by the present crisis-driven American child protection system.

I believe that there is now a tremendous momentum for changing that system. Awareness of the extent of the problem is there. But we need more than awareness. We need a new direction, and critical to this new direction is a solid and effective leadership--leadership on the national level in terms of Federal policy and systemic reform.

Because of the important role of Federal leadership in addressing child maltreatment, the Board has presented you and your Congressional colleagues with **54 "Options for Action"** that were included in its September, 1991 report entitled "Creating Caring Communities: Blueprint for an Effective Federal Policy on Child Abuse and Neglect." (A condensed copy of the report's recommendations and the 54 Congressional "Options for Action" is attached to this testimony.) These Options address a full range of Federal legislative reforms that the Board considers vital if we as a nation are to help assure the safety of America's children. The Board expects that the American public will look at how its elected officials use this report in legislative responses to the present crisis in our failing child protective system.

The Need for Mandating a Broad Executive Branch Approach that will Assure Federal Leadership in Child Protection

Because of the critical role of Federal leadership in the creation of an effective and pro-active national child protection system, it is important that it be clearly understood that my use of the term "Federal leadership" does, of course, include the important potential role of the National Center on Child Abuse and Neglect (NCCAN). However--and I cannot stress this enough--Federal leadership must include much, much more than the work of one agency, one Cabinet department, or even one Subcommittee.

One of the things that many of us find most frustrating about the bureaucracy of Congress is that many of the most important actions the Board has proposed fall outside of the constricted jurisdiction of this Subcommittee, as well as your parent Committee on Education and Labor. The subject of child abuse--and the response to it--should not be narrowly addressed within one Congressional committee's jurisdiction.

To put this another way: If you--as has the United States Senate--merely focus on NCCAN, and the grant programs historically administered by that agency, you will be doing a great disservice to maltreated children. You must find a way of getting Congress to address the **health, mental health, justice, and education** system problems that prevent our nation from adequately responding to child abuse. You must find a way of mobilizing the Federal agencies that are responsible for supporting our nation's health, mental health, justice, and education programs to undertake new child protection initiatives, as well as enhancing social service agency responses to the plight of abused and neglected children.

Critically needed reforms will be doomed to failure if legislative revisions merely tinker with CAPTA. And worse, mere tinkering with the law can **mislead** Americans into thinking that their elected representatives in Washington are **doing something significant** about child abuse. Today, over a year and a half since our Congressionally-created Board declared child abuse and neglect to be "a national emergency," hundreds of thousands of American children are still (in the words of the Board's first report) being "starved and abandoned, burned and severely beaten, raped and sodomized, berated and belittled."

So far, the Federal role in support of America's child protection system has been very weak. As the Board has outlined in its 1991 report, the inadequacy of the Federal role has, in effect, contributed substantially to the present emergency in the nation's child protection system.

A current case of an abused child from middle-America illustrates why you must find a way to effectively address the inter-disciplinary, inter-agency aspects of child protection. A few weeks ago, I received a call from a foster mother of a six-month old boy who I will refer to as Bobby (not his real name). Shortly after birth Bobby was severely beaten by his father--resulting in massive brain damage, blindness, and the need for constant medical attention. Bobby was removed from home by the police and spent several weeks in the hospital. The county child welfare authorities then placed him in a foster home. Last month, Bobby's father pled guilty to child abuse, and received a shockingly light sentence of four years probation.

Worse, the same judge who heard the criminal abuse proceeding--having authority over the child's foster care placement--ordered that Bobby be returned to his father and mother immediately. Bobby's foster parents were rightfully outraged. The father, they said, even had a history of prior abuse of another child. There was concern that neither the father nor mother had the knowledge to operate the breathing monitor that Bobby required, nor was there enough time to evaluate and treat the parents so that Bobby would be safe. Why, the foster parents asked me, is there such pressure to have Bobby returned home to such a dangerous situation?

Where was the health system's consultation to the court in terms of an evaluation of Bobby's on-going specialized health care needs? Where were the mental health and child development professionals who could effectively assess for the court the capacity of his parents to safely care for Bobby, as well as their potential for further violent outbursts directed against him? Where was a court system, including a lawyer for Bobby, primarily concerned with protecting his interests? Where were the school personnel who saw, on a daily basis, Bobby's siblings and might be aware of danger signs affecting other children in this abusive family? Finally, where was the Federal leadership and support to this community's professionals, in terms of technical assistance, training, and dissemination of standards of practice?

As far as I can determine, important opportunities were missed to properly equip this community to both prevent Bobby's abuse and to respond to it in a proper inter-disciplinary fashion. Bobby's protection was not a high public priority because, in part, our national child protection system is not truly child-centered. That system is too often not "protective" at all. And in no sense is our child protection system truly a "national" one, with established minimum standards for the child protection-related work of social service agencies, mental health programs, physicians and hospitals, attorneys, and the courts.

America must spell out, at both the Federal and State levels, an adequate statement in our laws detailing the primary purposes of the nation's child protection program. This is why the Board has provided, in its 1991 report, a "Proposed National Child Protection Policy" focused on the rights of children who have been subjected to abuse and neglect.

Incorporating the Board's proposed Policy, or elements from it, into CAPTA will give that law a meaning and impact that it has lacked for eighteen years. CAPTA is a law that, astonishingly, has never had any "purpose clause" ever incorporated within it.

The Proper Congressional Focus on NCCAN

In its 1991 report, the Board devoted dozens of pages to the strengths and weaknesses of NCCAN and the various grant programs that it administers. In the past year, NCCAN--under the able direction of David Lloyd and Commissioner Wade Horn--has increased its staff, improved the quality of its work, and enhanced its stature within the child protection community nationally.

I wish to reiterate that the Board has found Federal child protection efforts **as a whole** to be grossly deficient. Therefore, the Board believes that the commissioning of time-consuming, costly, and repetitive studies of NCCAN's operations alone would be a wasteful enterprise which would not result in getting the U.S. Public Health Service, the Department of Education, or the Attorney General to institutionalize any major child protection policy initiatives.

The Board has said in its 1991 report that Congress should consider assigning NCCAN clear responsibility for Federal leadership and support of the beleaguered State and County child protective services agencies of America. These agencies are in crisis, and many are on the verge of collapse. They are overwhelmed with reports of child abuse and neglect as well as accusations of mismanagement of their child protection caseloads. Increasingly, these agencies are being sued for inappropriate removal of children from their homes, failure to remove children from dangerous homes, and a lack of services to help strengthen and support families so that children can avoid unnecessary and unnecessarily prolonged foster care placement.

Over the next year, the Board will be studying the issue of national child protective service agency reform. In the interim, there is much that NCCAN could do to help such agencies. However, as the Board has stated in its 1991 report and wants to reemphasize, if Congress wishes NCCAN to assume this responsibility, then Congress must legislatively strengthen NCCAN's capacity, and this action must include assuring that NCCAN has the additional funds and professional staff to do the job adequately. Merely heaping more responsibilities, more studies, and more work on NCCAN--without guaranteeing it the commensurate resources needed--is to continue to set that agency up to fail.

In order to improve the programs that NCCAN now supports, the Board believes that the Congress could take the following steps:

- Require NCCAN to create standing review panels for all grant and contract proposals submitted to it in order to substantially improve the quality of NCCAN-funded research and demonstration projects.

- Require all NCCAN grantees to set aside funds for an independent evaluation component in order that demonstration projects supported by NCCAN be of much greater usefulness nationwide.

- Require NCCAN to collect from all the States uniform, case-specific information that is integrated with case-based foster care and adoption data in order for those who are concerned about child maltreatment to have a better picture of child abuse and neglect in America, and the child protection system's response thereto.

- Establish a new national incentive program of fellowships and/or scholarships in order to encourage university students pursuing graduate training in medicine, social work, law, and other fields to work in the field of child protection.

- Require NCCAN, in collaboration with the Public Health Service, the Department of Education, and the Department of Justice to jointly implement such a program.

- Require the Department of Education to establish, with guidance from NCCAN, a program that activates child protection initiatives in State and Local Education Agencies throughout the nation.

Since 1974 CAPTA has given NCCAN the authority to distribute millions of dollars to State child protective services agencies that meet certain "eligibility criteria" based on language in the statute and NCCAN's own regulations. The Subcommittee should look carefully at these criteria to see if: (1) some are imposing inappropriate barriers to the effective protection of children, and (2) some are not really being implemented as Congress intended.

An example of criteria imposing inappropriate barriers is the criterion requiring confidentiality. In this instance, the NCCAN regulation concerning confidentiality may inhibit the necessary inter-agency sharing of vital information about the child and family.

An example of criteria not being implemented as intended is a study that has shown that despite a provision of CAPTA dating back to 1974, all children in child abuse and neglect cases are not promptly receiving court-appointed independent legal representation. The severely abused infant whom I mentioned earlier didn't have legal representation, and neither do thousands of maltreated children whose cases are before American courts. Something must be done about this appalling practice.

Child Maltreatment Fatalities: The Ultimate Consequence of Child Protection System Breakdown

The Board is aware that the Subcommittee, as part of this year's re-authorization of CAPTA, has a particular interest in doing something significant on the subject of child deaths due to abuse and neglect. This is also a subject that the Board will devote special attention to this year, including an April public hearing in Los Angeles, a meeting with a model inter-agency child fatality review team, and the development of a special issue paper on the topic.

Board members are also distressed, as I am sure you are, that the Presidential Commission on Child and Youth Deaths, established as part of the 1988 amendments to CAPTA, was never funded by the Congress, and the Commission was never convened by the President. The Board has been approached by Subcommittee staff concerning their interest in having the Board assume additional responsibilities related to child maltreatment fatalities. Since the Board has already decided to carefully study this issue, it would be capable of broadening its work to address the full gamut of the Subcommittee's concerns related to this subject, so long as the Board is given the necessary resources to properly fulfill this additional set of duties.

Amending CAPTA to Promote Home Visitation Services

In two reports, the Board has stressed the critical need to provide home visitation resources for families. Promoting the development of such resources is the single most important step that Congress could take this year regarding the safety and welfare of America's abused and neglected children. Home visitation is the best documented child maltreatment prevention program. Congress should not bypass this opportunity to help our nation begin to implement a large series of coordinated pilot home visitation projects.

The Board hopes that the Subcommittee shares with the Board the goal of transforming our system of child protection in America so that it will become as easy for a parent to pick up a telephone to get help--before abuse occurs--as it is now for a neighbor to pick up a telephone and report that parent for abuse. The planned, sequential implementation of home visitation programs under the leadership of the U.S. Department of Health and Human Services can be initiated by Congressional action. The ball, as they say, is in your court.

Conclusion

The options that the Board has presented to Congress require prompt and careful attention. Children are being starved, beaten, maimed, and killed by parents who could be helped before the harm occurs. Just as tragically, once our government agencies identify these children, most receive no treatment at all, and when they do receive treatment they are often prematurely returned to abusive households.

Members of Congress are rightfully being asked: What are you doing about this national emergency? For some, the answer has for too long been the support of bills--often labelled with the words "Child Protection"--that only deal with one tiny aspect of the problem of child maltreatment. Many proposed approaches are not carefully thought out, are simplistic, lack comprehensiveness and a consistency with other related pieces of legislation, or are not backed with adequate funding.

Your Subcommittee made a conscious decision last year not to be rushed into hastily approving a new national child abuse and neglect law. You were right. I hope that the time has now come where you will utilize the collective wisdom of those who work in this field to carefully fashion a bill that incorporates a full gamut of meaningful child protection reforms.

Thank you for giving the Board the opportunity to express these views. We hope that our efforts--like the work done by Federal advisory bodies on problems of the elderly, infant mortality, mental retardation, and AIDS--have been, and will continue to be, valuable to the Congress, the Executive Branch, and the American people. I believe that the knowledge and guidance on this complex issue of child maltreatment, provided by our interdisciplinary Board of fifteen national experts, can be an important resource in the years ahead.

All Americans, regardless of political affiliation or ideology, should be uniformly committed to finding a way for our nation to do something significant about the terrible national problem of child abuse and neglect. Meaningful Congressional action in 1992 by Democrats and Republicans alike can make an immense difference in the lives of millions of children and their families.

c. Text of Board-Proposed Amendments to CAPTA Intended To Strengthen the Board

SEC. ___ U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT.

(a) In General.--Section 102 (42 U.S.C. 5132) is amended to read as follows:

"SEC. 102. U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT.

"(a) Establishment.--There is hereby established the U.S. Advisory Board on Child Abuse and Neglect (hereafter referred to in this section as the 'Board').

"(b) Program Year.--The program year of the Board shall commence on May 30 of each year and conclude on May 29 one year thereafter.

"(c) Composition.--The Board shall consist of 18 members, all of whom shall be individuals with demonstrated knowledge and expertise in child abuse and neglect prevention, intervention (including the operation of child protective services agencies), foster care and adoption, treatment, and research. All 18 members shall be appointed as provided for in subsection (d).

"(1) Members drawn from the Inter-Agency Task Force on Child Abuse and Neglect.--Two members shall be drawn from the participants in the Inter-Agency Task Force on Child Abuse and Neglect (hereafter referred to in this section as the 'Task Force'). In addition to their other responsibilities as full members of the Board, it shall be the special duty of these two members to keep the Board informed of the activities of the Task Force and to keep the Task Force informed of activities of the Board.

"(2) Members drawn from the general public.--Sixteen members shall be drawn from the general public, of which 14 shall be specifically recognized for their knowledge of and expertise in or concerning one of each of the following areas (which such individual shall represent on the Board):

"(A) child protective services in a State or local government setting;
"(B) elementary and secondary education;
"(C) law;
"(D) law enforcement or corrections;
"(E) medicine;
"(F) psychology or child development;
"(G) the activities of parent self-help organizations or parents' groups;
"(H) the activities of volunteer organizations.
"(I) the provision of services to adolescents;
"(J) the provision of services to disabled persons;
"(K) community planning;
"(L) public health or prevention;
"(M) research; and
"(N) social work practice involving family preservation and support services and the treatment of abused and neglected children and their families.

"(d) Appointments.--

"(1) Appointing authority.--The Secretary shall appoint all members of the Board, except that--

"(A) individuals described in paragraph (c)(2) who are recognized for their knowledge of and expertise in or concerning law and law enforcement or corrections shall be appointed, or reappointed in accordance with paragraph (d)(4), only after the Secretary has requested the advice of the Attorney General;

"(B) the member described in paragraph (c)(2) who is recognized for knowledge of and expertise in or concerning elementary and secondary education shall be appointed, or reappointed in accordance with paragraph (d)(4), only after the Secretary has requested advice from the Secretary of Education; and

"(C) the member described in paragraph (c)(2) who is recognized for knowledge of and expertise in or concerning community planning shall be appointed, or reappointed in accordance with paragraph (d)(4), only after the Secretary has requested advice from the Secretary of Housing and Urban Development and the Secretary of Agriculture.

"(2) Appointment considerations--

"(A) Notice.--The Secretary shall publish a notice in the Federal Register soliciting nominations for the appointments under this subsection to be drawn from the general public.

"(B) Racial and ethnic representation.--In making appointments under this subsection, the Secretary shall give due consideration to the representation of ethnic and racial minorities and diverse geographic areas.

"(3) Appointments necessitated by vacancies.--If a vacancy on the Board occurs due to the resignation of a member, or the removal of a member in accordance with paragraph (e)(5), prior to the expiration of the term to which such member had been appointed, a replacement for such member shall be appointed in the same manner in which the original appointment was made, and such replacement member shall serve for the balance of the term being vacated in accordance with paragraph (e)(4).

"(4) Reappointments.--The Secretary may reappoint a member drawn from the general public to the Board after the expiration of such member's term subject to the limitations contained in paragraph (e)(3). In such instances, at the discretion of the Secretary the nomination procedures required under subparagraph (d)(2)(A) may be waived.

"(e) Terms of Office.--

"(1) Length.--Except as otherwise provided in this section, members drawn from the general public shall be appointed for terms of four years.

"(2) New seats.--Notwithstanding the date on which the initial appointments are made under subsection (d), with respect to the terms of individuals appointed in accordance with subparagraphs (K), (M), and (N) of paragraph (c)(2) such terms shall end on May 28, 1994.

"(3) Number of terms.--No member drawn from the general public shall be eligible to serve in excess of two terms, but such a member may continue to serve until that member's successor is appointed.

"(4) Vacancies.--Any member who is appointed to fill a vacancy occurring before the expiration of the term to which such member's predecessor was appointed shall be appointed for the remainder of such term.

"(5) Removal.--No member drawn from the general public may be removed by the Secretary during the member's term except for just and sufficient cause to be determined in a hearing before the Departmental Appeals Board of the Department of Health and Human Services.

"(f) Payments to members.

"(1) Compensation.--

"(A) Members drawn from the general public, while serving on business of the Board including travel time, shall receive compensation at a daily rate [not in excess of] [equivalent to] the daily rate payable to an Executive Schedule Level Four employee under section 5332 of title 9, United States code.

"(B) Definition.--For purposes of this paragraph, 'business of the Board' shall mean attendance at a meeting of the Board or of one of the committees/work groups of the Board or performing work for the Board with the prior approval of the Executive Director, including travel time.

"(2) Travel.--

"(A) Members drawn from the general public, while serving on business of the Board away from their homes or regular places of business.--Such members shall be reimbursed for travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(B) Members drawn from the Task Force and employees of the Board, while serving on business of the Board away from their homes or regular places of business.--Such members and employees shall be reimbursed for travel expenses (including per diem in lieu of subsistence) in accordance with the usual and customary procedures applicable to the travel of full- time Federal employees.

"(C) Members drawn from the general public, members drawn from the Task Force, and employees of the Board, while serving on business of the Board within the metropolitan area in which they reside.--Such members and employees shall be reimbursed for actual travel and subsistence expenses incurred in connection with the performance of Board business.

"(g) Governance.--The Board is authorized to elect its own officers as well as to establish such procedures as will facilitate the orderly conduct of its business.

"(h) Meetings.--The full Board shall meet at least four times each program year at the call of the Chairperson unless the Chairperson determines that fewer meetings are needed.

"(i) Duties.--

"(1) Reports.--Not later than 120 days after the conclusion of each program year, the Board shall prepare and submit to the Secretary, the Attorney General, the Secretary of Education, the Secretary of Housing and Urban Development, and the Secretary of Agriculture, and to the appropriate committees of Congress, a report--

"(A) assessing the progress of the nation in protecting children; and
"(B) making recommendations for action to improve such protection.

"(2) Special reports on child maltreatment.--At such times as the Board deems it useful, the Board shall issue special reports concerning child maltreatment.

"(3) Advisor.--

"(A) In general.--The Board shall provide the Secretary, the Attorney General, the Secretary of Education, the Secretary of Housing and Urban Development, and the Secretary of Agriculture, and the appropriate committees of Congress, with such ongoing advice as it deems appropriate about actions needed to improve the protection of children. Such advice may occur in response to a request to the Board or may be initiated by the Board.

"(B) Subject of advice.--Matters to be advised on may include but are not limited to:

"(i) proposed and final regulations, guidelines, program announcements, and operating procedures developed to implement this Act;

"(ii) proposed and final regulations, guidelines, program announcements, and operating procedures developed to implement all other Federal statutes related to child maltreatment; and

"(iii) any initiatives developed in response to Board recommendations.

"(j) Resources.--

"(1) Executive director.--Working jointly with the Board, the Secretary shall appoint an Executive Director. To ensure that the individual selected is mutually acceptable to the Secretary and the Board, the Secretary shall involve the Board in the classification of the position as well as both the recruitment and interviewing of candidates prior to appointment. Appointment and compensation of the Executive Director shall take place in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code.

"(2) Personnel.--

"(A) Additional personnel.--With the approval of the Board and subject to the availability of funds, the Executive Director may appoint and fix the compensation of such additional personnel as are necessary to assist the Board in carrying out its duties. Appointment and compensation of such personnel shall take place in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code.

"(B) Temporary or intermittent services.--With the approval of the Board and subject to the availability of funds, the Executive Director may procure temporary or intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed $400 per day.

"(C) Other agency personnel.--With the approval of the Board and subject to the availability of funds, the Executive Director may request the head of any Federal agency to detail, on a reimbursable basis, any of the personnel of such agency to the Board to assist the Board in carrying out its duties under subsection (i).

"(3) Contracts.--With the approval of the Board and subject to the availability of funds, the Executive Director may enter into such contracts as the Board considers necessary to carry out its duties under subsection (i).

"(4) Authorization of appropriations.--

"(A) Fiscal year 1992.--There are authorized to be appropriated to carry out this section, $1,000,000 for fiscal year 1992, and such sums as may be necessary for each subsequent fiscal year.

"(B) Funding in lieu of appropriations.--During each fiscal year for which no appropriation is made under subparagraph (j)(4)(A), the Secretary shall make available, from Department of Health and Human Services accounts, **[not less than $1,000,000] [sufficient funds]** to enable the Board to carry out all of its duties under subsection (i) effectively.

"(C) Gifts.--Notwithstanding any other provision of law, the Board is authorized to receive gifts and accept donations from non-Federal organizations to carry out its duties.

"(k) Powers of the Board.--

"(1) Hearings, etc.--For the purpose of carrying out its duties under subsection (i), the Board may hold such hearings, sit and act at such times and places, take such testimony, and receive such Evidence, as the Board considers appropriate.

"(2) Information.--

"(A) Other Federal agencies.--With the approval of the Board, the Executive Director may request directly from any Federal agency such information as the Board requires to carry out its duties under subsection (i).

"(B) Data collection.--Notwithstanding the provisions of the Paperwork Reduction Act, the Board is authorized to gather such data as it requires to carry out its duties under subsection (i) without approval from the Office of Management and Budget.

"(3) Communication.--The Board may communicate with any public or private agency, organization, or individual. Such communication (including, but not limited to, publishing, discussing, and disseminating any annual and special reports prepared under this section and such other documents as the Board determines appropriate) is not subject to review, clearance, or prior approval from any Government official. Subject to the direction of the Chairperson, this authority may be exercised by both members and employees of the Board.

"(4) Action by individuals.--Any member or employee of the Board may, if authorized by the Board, undertake any action which the Board is authorized to undertake under this section.

"(b) Transfer Provisions.--

"(1) Termination of prior Board.--The Advisory Board on Child Abuse and Neglect, established under section 102 of the Child Abuse Prevention and Treatment Act as such section existed prior to the date of enactment of this Act, shall terminate on the date of enactment of this Act.

"(2) Commencement of new Board.--The U.S. Advisory Board on Child Abuse and Neglect established in subsection (a) shall exist on the date of enactment of this Act.

"(3) Members of prior Board.--

"(A) Continued service.--The members drawn from the general public serving on the Advisory Board on Child Abuse and Neglect, established under section 102 of the Child Abuse Prevention and Treatment Act as such section existed prior to the date of enactment of this Act, shall serve as members of the Board established under the amendment made by subsection (a) until the terms to which such members were previously appointed have expired.

"(B) Conversion of seats.--The members drawn from the general public of the Board established under section 102 of the Child Abuse Prevention and Treatment Act as such section existed prior to the date of enactment of this Act will occupy the following seats on the Board established under the amendment made by subsection (a): the member representing social services (including child protective services) shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning child protective services in a State or local government setting; the member representing teachers shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning elementary and secondary education; the member representing law (including the judiciary) shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning law; the member representing State and local government shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning law enforcement or corrections; the member representing medicine (including pediatrics) shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning medicine; the member representing psychology (including child development) shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning psychology or child development; the member representing parents' groups shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning the activities of parent self-help organizations or parents' groups; the member representing voluntary groups shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning the activities of volunteer organizations; the member representing organizations providing services to adolescents shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning the provision of services to adolescents; the member representing organizations providing services to disabled persons shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning the provision of services to disabled persons; the member representing parent self-help organizations shall occupy the seat reserved for an individual recognized for knowledge of and expertise in or concerning public health or prevention; and the two members occupying at-large seats shall continue to occupy those seats.

"(C) Starting dates for new terms.--

"(i) When the terms of those members occupying the law enforcement or corrections, the activities of parent self-help organizations or parents' groups, and the activities of volunteer organizations seats as well as one of the two at-large seats in accordance with this paragraph have expired, the new terms for those seats shall begin on May 30, 1992 and end on May 29, 1996;

"(ii) When the terms of those members occupying the law, medicine, the provision of services to adolescents, and the provision of services to disabled persons seats in accordance with this paragraph have expired, the new terms for those seats shall begin on May 30, 1993 and end on May 29, 1997;

"(iii) When the term of that member occupying the public health or prevention seat in accordance with this paragraph has expired, the new term for that seats shall begin on May 30, 1993 and end on May 29, 1998;

"(iv) When the terms of those members occupying the child protective services in a State or local government setting, elementary and secondary education, and psychology or child development seats as well as one of the two at-large seats in accordance with this paragraph have expired, the new terms for those seats shall begin on May 30, 1995 and end on May 29, 1999.

"(D) Reappointments.--With respect to a member serving on the Board in accordance with subparagraph (b)(3)(A), the number of terms to which such member was appointed on the Advisory Board on Child Abuse and Neglect, established under section 102 of the Child Abuse Prevention and Treatment Act (as such section existed prior to the date of enactment of this Act) shall be counted as if such appointments had been made to the Board as it exists after such date of enactment.

2. Correspondence from the Board Providing Recommendations on Child Maltreatment Policy

a. Letter to DHHS Administration on Children, Youth, and Families Concerning Priorities for NCCAN Research and Demonstration Project Initiatives

4 February 1992

Commissioner Wade F. Horn
Administration on Children, Youth, & Families
ATTN: National Center on Child Abuse & Neglect
PO Box 1182
Washington, DC 20013

Dear Wade:

Pursuant to its statutory mandate to advise NCCAN on its research priorities, the Board is pleased to comment on NCCAN's proposed research and demonstration (R&D) priorities for FY 1992.

First, the Board wants to make clear that its general reaction to the proposed priorities is positive. Indeed, the proposed R&D priorities are the best conceptualized and best crafted that we have seen from NCCAN, at least in recent years. The priorities also show sensitivity by NCCAN staff to the Board's reports and its own and others' comments on past proposed priorities. The document appears to indicate increasing expertise and responsiveness in NCCAN staff. We are pleased to see this growing capacity and openness.

There are numerous specific aspects of the proposal that we approve. We are pleased to note NCCAN's recognition of the need to build knowledge incrementally from existing empirical and theoretical foundations. That approach is most easily implemented through a movement to field-initiated research and demonstrations; we are pleased to see that new emphasis in the NCCAN priorities. Among the other elements of the proposed priorities about which we wish to indicate our approval are:

- the emphasis on ethnic and cultural relevance;
- the several concerns listed in the suggested topics for research (e.g., neighborhood safety, cultural factors; special populations; adolescents);
- the emphasis on building the infrastructure of the field, including human resources and technical prowess;
- the identification of neighborhood-based, integrated, school-based services as possibilities for demonstration projects;
- the new attention to ethical and legal issues in research (in that regard, we hope that NCCAN will make clear that ethical analysis is a criterion for review of proposals);
- the concern for use of existing resources in rural communities (e.g., Head Start; Cooperative Extension; community mental health centers; religious institutions) for the purpose of child protection;
- the expectation of "a strong evaluation component" in demonstration projects.

Although our reaction to the proposed priorities is generally positive, we do have some concerns (most of which we have previously expressed in other contexts) that we hope will be addressed in the final priorities:

1. Although we applaud the emphasis on field-initiated R&D projects, we continue to question NCCAN's capacity for assuming this role on a continuing basis. For a field-initiated program to work optimally, there is a need for (a) detailed critiques of proposals ("pink sheets," in Public Health Service jargon), (b) opportunities for prompt resubmission (not resubmission in a year) following revision, and (c) funding of more than just a few proposals (so that growth in knowledge can increase in more than just a few specific topics). Programmatic research requires a research program (in the broad sense of that term).

In the absence of a major research center on child maltreatment (a center that the Board has recommended that Congress or the Secretary act to create), the Board hopes that NCCAN will "leverage" its R&D funds by providing for blending of funds from the PHS research agencies and perhaps other relevant research agencies (e.g., National Institute of Justice; National Institute of Education) with NCCAN R&D funds so that a stable field-initiated research program of significant size and ongoing (e.g., quarterly) "cycles" could be created. If investigators believed that strong proposals stood a good chance of being funded (because of such a pooling of funds) and that there were opportunities for detailed feedback and prompt resubmission of revised proposals, we are confident that the number and quality of proposals--ultimately, the level of knowledge in the field--would increase accordingly. Although we recognize that such a strategy may be difficult to implement during the 1992 grant process, we hope that NCCAN will begin working immediately to implement such an integrated program of research support.

This point was made in our discussion with David Lloyd at our last meeting. Since then, we have noted that the January 16, 1992, Federal Assistance Monitor reported that enhancement of NCCAN funds through sharing with other agencies was a top priority of the agency. We hope that the relevant agencies all will set aside a portion of their discretionary research funds for field-initiated research.

2. As we have previously indicated, we support NCCAN's desire to increase data sharing and comparability, but we have concerns about establishment of a corresponding requirement for grantees. Such a requirement is premature and sometimes undesirable. At the field's current level of development, studies often are small, and the preparation of data for sharing is not necessarily efficient or productive at all. Similarly, existing measures often are not well linked to the particular constructs that a careful theoretical analysis may suggest are related, for example, to the sequelae of maltreatment. In such a context, the principal problem is more one of development than of consistency of measures.

3. Although we applaud the availability of fellowships for new researchers on child maltreatment, we wish to reiterate our belief that stipends should be available primarily through institutional (not individual) grants that ideally also include some money for program development (e.g., research-related travel expenses). If, for example, eight fellowships are available, we believe that the development of the field's infrastructure is likely to be much better enhanced by two institutional grants (four fellowships each) to well conceptualized, continuing programs for research training than by eight grants to individual students who already are committed to research on child maltreatment (as they would be at the dissertation stage) and who are enrolled in eight institutions. For a model of the approach to follow, NCCAN should look to the Public Health Service's National Research Service Award (NRSA) program of institutional grants for research training. The development of blended funding between NCCAN and NIMH and/or NICHD also should be considered.

   The NRSA program does permit individual fellowships for postdoctoral researchers who desire "retooling" or further specialization in the field. We would support such an option if sufficient funds were available. At present, though, we believe that the emphasis in predoctoral support should be on institutional grants.

   We also reiterate our concern that the criteria for funding not eliminate prospective scholars in medicine and law from the pool of potential trainees. (Indeed, incentives for interdisciplinary training are desirable.) Obviously, a dissertation program forecloses the use of such funds for research training of JDs and MDs.

4. We doubt the usefulness of continued annual meetings of all research grantees. Comments that we have heard from grantees suggest that they do not view such meetings as an efficient use of their time. Reports of studies in the initial phase of data collection are rarely very informative, especially when the topics are dissimilar from attendees' own research interests. Moreover, as a matter of ethics, NCCAN should not be encouraging premature disclosure of findings. If NCCAN is to continue such meetings, they should be organized in a more targeted ways so that (a) clusters of grantees with similar interests are gathered and (b) there are particular issues to be resolved or at least addressed (e.g., particular methodological problems that the grantees have in common).

5. Absent clear empirical evidence of superiority of the child advocacy center model, we question the usefulness of a preference for such demonstration programs. Rather, NCCAN should seek demonstrations (including evaluations) of diverse multidisciplinary approaches to child protection.

6. We wish to reiterate our concern about peer review at NCCAN. Although the Federal Register states that peer review will be used, there is no indication that the system of peer review will be changed. Although we do not believe that some of the past improper procedures (e.g., funding grants out of order) persist at NCCAN, our observations of the peer review process last year indicated that the pool of reviewers used was not representative of the best scholars in the field and indeed that some reviewers lacked a knowledge of the field sufficient to give fair and useful reviews. We hope that the improved quality of the proposed solicitation presages a comparable improvement in the quality of reviews. Moreover, we reiterate our belief that confidence of the research community is most likely to increase if NCCAN establishes standing panels of distinguished researchers and publicizes the existence and composition of such panels.

We wish to emphasize our pleasure at the apparent growth in NCCAN's capacity for research management. We hope that you will call on us whenever we can provide helpful advice about directions for such development.

We also want to indicate that we are preparing reports on research policy (for probable release in fall 1992) and a new national strategy for child protection (for probable release in late spring 1993). We expect to make further suggestions about research priorities in those documents.

Sincerely,

Howard Davidson
Chair

b. Letter to Senator Joseph Biden Regarding the Proposed "National Child Protection Act"

January 30, 1992

The Honorable Joseph Biden
Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Biden:

I am writing on behalf of the members of the U.S. Advisory Board on Child Abuse and Neglect, a body created by Congress in 1988 as part of Public Law 100-294. The statute charges the Board with the responsibility for developing recommendations to both the Executive and Legislative Branches concerning ways in which the purposes of the Child Abuse Prevention and Treatment Act can best be accomplished.

In its first report, published in September 1990, the Board noted that one reason why child abuse and neglect constitutes a "national emergency" is that:

> "...the government response to child abuse was and continues to be fragmented, often simplistic, ill-conceived and crisis oriented. Response to abused and neglected children and their families at all levels of government has too often been symbolic..."

In examining S. 1966, the proposed "National Child Protection Act", the Board is discouraged, therefore, to see a continued reliance on "quick fix" legislative solutions that will only address a small part of the problem. The Board is fearful that the narrow legislative approach, contained in S. 1966, will allow Congress to claim that it has "done its share" to address the terrible problem of child abuse and neglect -- and members of the public to have a false sense of security concerning the protection of their children.

Most of the 2.5 million reported cases of child maltreatment involve situations of intra-familial child maltreatment, rather than instances of abuse of children within child care organizations. Implementing and adequately funding a new nationwide "system" of child abuse record screening, as well as a study of child abuse offenders, may certainly be helpful steps.

However, neither action will stop child maltreatment, nor will these actions do anything to secure treatment for those who have been abused, or offer preventive counseling, support, and resources for families at risk of abuse. Thus, while the Board shares your concern with the abuse of children in caretaking settings outside of their homes, it believes there are other approaches to protecting children from abuse in out-of-home care which are more promising and far more cost effective.

You will recall that in 1990 Congress passed Public Law 101-647, the Crime Control Act of 1990, an enactment in which you played an important leadership role. Subtitle E of that Act established Federal requirements for the screening of personnel working with children in Federally operated and contracted facilities. Similar legislation was also enacted requiring background checks for those working with Native American children.

The Board is unaware of any steps that have been taken either to appropriate any funds for the effective implementation of that legislation, or to have the G.A.O. or a Congressional oversight committee evaluate such implementation. Moreover, funds have never been appropriated to help carry out the purposes of the Victims of Child Abuse Act of 1990, another part of P.L. 101-647.

Finally, the Board notes that on p. 46489 of the September 12, 1991 Federal Register the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, announced an intention to fund a study extremely germane to the purposes of S. 1966. This study will involve a comprehensive nation-wide examination of "screening practices, including criminal record checks, (that) are being utilized by both the public and private sector and the effectiveness of those practices in protecting children and youth from abduction, abuse, and exploitation by adults who prey on children".

The Board believes that any Congressional action on the subject of child abuse background checks should be informed and guided by the findings of this forthcoming study. For example, the study will certainly include an analysis of how the existing FBI nationwide criminal record check system can be better accessed on behalf of child caring organizations.

For all of these reasons, the Board urges you to reconsider S. 1966. The Board believes that the interests of the nation's children would be far better served were you to seek the enactment of the recommendations directed at improving the response to child maltreatment of the nation's judicial system contained in the

Board's 1990 and 1991 annual reports. I am enclosing the text of those recommendations with this letter. If you must move forward on S. 1966, at the very least please delay until the Department of Justice study results become available.

The Executive Director of the Board and I would be happy to meet with you or your staff to discuss the issues I have herein raised. Since we are based here in Washington, such a meeting can easily be arranged.

The Board appreciates your continued interest in America's children which your attention to this letter reflects.

Sincerely yours,

Howard A. Davidson
Chairperson

Enclosure

3. Role of the Media

a. Round Table Discussion in Los Angeles

MINI-SYMPOSIUM OF APRIL 3, 1992
Los Angeles, California
Members of the Board

THE ROLE OF MEDIA IN CHILD MALTREATMENT ISSUES

Los Angeles, California

Scott Alsop
Real Life Productions

Michael Durfee
Coordinator, Child Abuse Prevention Program
Los Angeles County Department of Health Services

Sherry Fadely
Executive Producer
Donner Shuler Donner Productions

Mike Farrell
Actor, Producer
Farrell-Minoff Productions

Astrid Heger
Director, Suspected Child Abuse and Neglect Project
LAC/USC Medical Center

Carol Langer
Frontline

Bea Lewis
Manager, Public Service
KNBC TV4

Linda Otto
Producer
The Landsburg Company

Lisa Riale
Times Mirror Foundation

Theresa Samaniego
Director, Public Affairs
KABC 7

Bob Scheer
Los Angeles Times

Angela Shelley
Producer
Real Life Productions

Jennifer Siebens
Director, Public Affairs
CBS Network News

Narda Zacchino
Associate Editor
Los Angeles Times

The Board very much appreciates the graciousness of the **Los Angeles Times Mirror** for hosting this mini-symposium of representatives of the media and the Board.

b. Board Statement Coinciding with Airing of the Scared Silent Television Documentary

ADDRESSING CHILD ABUSE AND NEGLECT--A CHALLENGE TO THE NATION

Capturing the Nation's Attention

On Friday night, September 4, 1992, there will be an unprecedented, nationwide, simultaneous broadcast on the CBS and NBC television networks and the Public Broadcasting Service of a powerful documentary about child maltreatment -- Scared Silent: Exposing and Ending Child Abuse, hosted by Oprah Winfrey.[*] Adding to its impact, the documentary will be rebroadcast on the evening of September 6 on the ABC television network.

In its first report in 1990, the U.S. Advisory Board on Child Abuse and Neglect, a federal blue-ribbon panel of national child protection experts, observed:

> ***Child abuse is wrong. Not only is child abuse wrong, but the nation's lack of an effective response to it is also wrong. Neither can be tolerated. Together they constitute a moral disaster.***
>
> ***Child neglect is also wrong. When those who have assumed responsibility for providing the necessary resources for children fail to do so, it is wrong. When parents and other caretakers have the psychological capacity to care for their children adequately but lack the economic resources to do so, society itself is derelict when it fails to provide assistance.***
>
> ***All Americans share an ethical duty to ensure the safety of children. Protection of children from harm is not just an ethical duty: it is a matter of national survival. All Americans should be outraged by child maltreatment. Even when it causes no demonstrable harm to children, it is shameful.***

---

[*] Scared Silent was produced by Arnold Shapiro Productions of Los Angeles in association USAA of San Antonio. Follow-up activities to the broadcast involve the participation of: the National Committee for Prevention of Child Abuse of Chicago; Childhelp USA of Woodland Hills, California; the Robert Wood Johnson Foundation of Princeton, New Jersey; and Target Stores, a division of the Dayton-Hudson Corporation of Minneapolis.

Now, more than two years later, Scared Silent, eloquently and painfully, presents citizens with a unique opportunity for collective acknowledgment of the human dimensions of the national tragedy captured by the term "child maltreatment."

Scared Silent will be viewed by massive audiences. Millions of those viewers will feel overwhelmed by the reality of child maltreatment as well as its long-range effects. Many will find connections to personal experiences and to the experiences of others around them. Many will be filled with anger that not enough is being done. Many will insist on change. Thanks to the creative skills of television artists, the civic-mindedness of television network executives, and the generosity of corporations -- officials at all levels of American government and citizens throughout the nation will have a new incentive to consider what they can do to respond to **a crisis which** the Board in 1990 concluded **has reached "*national emergency*" proportions.**

The National Child Protection Emergency

In declaring the existence of a **national child protection emergency**, the Board warned the nation of the danger it was courting by ignoring the plight of abused and neglected children. It urged the nation's leaders to recognize **the link** between household violence against children and America's most pressing domestic social problems: poverty; crime; drugs; and urban unrest. Calling upon those leaders to place child abuse and neglect **high** on the nation's agenda, it also proposed that every citizen become involved in combating the maltreatment of children.

Since the Board's first report was issued, the federal government has taken some positive and appropriate actions in addressing the emergency. The Board commends the actions of Dr. Louis W. Sullivan, the U.S. Secretary of Health and Human Services, in elevating public concern about child abuse and neglect through national and regional meetings, in encouraging all sectors of society to work together to combat the emergency, in promoting the efforts of communities to develop local strategies for preventing child maltreatment, and in improving coordination among federal agencies. Secretary Sullivan has exerted more leadership about maltreatment than any other Cabinet level official in U.S. history.

The progress resulting from Secretary Sullivan's actions notwithstanding, the child protection emergency has clearly **deepened in all parts of the nation** during the past two years.

- Reports of child abuse and neglect have continued to climb, with annual incidence increasing 13 percent from 2.4 million in 1989 to 2.7 million in 1991.

- More child maltreatment fatalities have been identified, with at least 2,500 children dying at the hands of their caretakers during the two year period.
- The collapse of the nation's child protection system has continued: caseloads of local government agencies charged with child protection have soared; the number of children going into foster care has risen; staffs have shrunk; insufficient coordination among teachers, physicians, attorneys, social workers, and police has persisted; the knowledge base on which effective decisionmaking depends has not appreciably expanded; and inadequate public resources are still being devoted to child protection activities.

- Adequate and affordable treatment for child abuse victims and their families remains exceedingly difficult to find.

The Board strongly believes that the nation can address the emergency more effectively. The Board's 1990 and 1991 reports[*] suggest possible priorities for immediate action.

An Agenda for Action

The two reports contain a total of 60 recommendations. While the Board perceives each of those recommendations as important, two are of overriding importance.

Home Visitation

As its highest priority, the Board has called upon the federal government to **implement a universal voluntary neonatal home visitation system. Visiting the families of newborn infants in their homes has been found to be one of the most effective methods to prevent child abuse**. These services, universal in many developed countries, are not now widely available in the United States. In its 1991 report, the Board observed that "***[w]hile not a panacea, ... no other single intervention has the promise that home visitation has.***"

---

[*] The 1990 Report of the Board is entitled: Child Abuse and Neglect: Critical First Steps in Response to a National Emergency. The 1991 Report of the Board is entitled: Creating Caring Communities: A Blueprint for an Effective Federal Policy on Child Abuse and Neglect.

This concept has not gone unnoticed by the American philanthropic community. Earlier this year the Ronald McDonald's Children's Charities generously awarded $1 million to the National Committee for the Prevention of Child Abuse for disseminating throughout the nation models of home visitation services. The nation needs many more such initiatives.

While the Ronald McDonald effort is a laudable one, it is no substitute for governmental leadership. Ensuring that home visitation services are universally available throughout the nation will require public funding. Federal funding does not now exist and, among the states, only Hawaii has made substantial funding available for a state-wide program.

National Child Protection Policy

The Board believes that the time has come for a national policy that makes it possible for **children to live safely in a family environment**. Thus, as a second priority, the Board has called upon the federal government to **establish a national child protection policy which will drive all of the child protection-related actions of the federal, state, and local governments**.

Current policy within all levels of government is **too narrowly focussed on crisis response**. Under current policy -- clearly not intended to produce such results -- maltreated children:

- rarely receive therapeutic services;
- often are given minimal information about the decisions affecting their lives;
- often are essentially unrepresented in legal proceedings and other official actions;
- find themselves the subjects of well-intended but fragmented and misdirected reform efforts that often seem isolated from the matters most significant to the children themselves; and
- are too often left in unsafe homes.

Although in some instances parents are so unable to provide a secure and safe environment for their children that those children must be removed from their homes, such removal should not be the centerpiece of the child protection system **as it currently is**. An effective child protection system should begin with the general question of how best to promote the security of children **and** their families.

Earlier this year Congress amended the Child Abuse Prevention and Treatment Act and the President signed it into law. This should have been the occasion for adoption by both the Congress and the White House of a national child protection policy. While the legislation contained some important improvements, it fell far short of establishing the coherent policy which the national child protection emergency demands. Surely, a nation which can enact a comprehensive environmental policy that protects snail darters can enact a comprehensive policy that protects children.

The Opportunity To Make a Personal Difference

Because child maltreatment affects all voters, all taxpayers, it is in their interest to take responsibility for ending it. Voters and taxpayers can usefully be involved in efforts to help their elected officials understand the full magnitude of child abuse and neglect.

Elected officials need to understand that **adult violence against children leads to childhood terror, childhood terror leads to teenage anger, and teenage anger** too **often leads to adult rage**, both destructive toward others and self-destructive. Terror, anger, rage -- these are not the ingredients of safe streets, strong families, and caring communities. Unless American political leaders pay greater attention to the child protection emergency, all Americans will continue to suffer financially and all Americans will live in a more frightened and violent society.

Elected officials need to understand that the time to do something about child maltreatment is **now**. If the nation's leaders continue to look the other way, the present generation of abused children may reach adulthood before effective action is undertaken. Many of these children will perpetuate the cycle of abuse.

Elected officials need to understand that something **significant** must be done about child maltreatment. Doing something significant means doing something more than just increasing the reporting of child abuse and neglect, more than simply causing child abuse investigations to be better coordinated, more than setting up new bureaucratic mechanisms to centralize records of known child abusers.

Doing something significant means reform of the nation's existing child protection system, and the eventual replacement of that system with a new, comprehensive, child-centered, family-focused, and neighborhood-based approach that **emphasizes prevention** rather than investigation. That approach should be carried out at the level of urban and suburban neighborhoods and rural communities and should be concerned not only with the development of social and economic supports for troubled families and children but also with the provision of services that are based on the principle of **neighbor helping neighbor**.

Elected officials need to understand that, if nothing significant is done about the child protection emergency, **hundreds of thousands of American children each year will have their childhoods destroyed**. With each childhood that is destroyed, the nation loses a piece of its soul.

The airing of the broadcast of Scared Silent in such close proximity to this year's national, state, and local elections is fortunate. The Board believes that voters and taxpayers should engage all candidates for public office in a dialogue about child protection in America. To facilitate that process, the Board suggests that all candidates be asked the following questions:

- What policies, programs, and funding initiatives will you propose to make it as easy for a parent to pick up the telephone and get help **before** abusing a child as it is now for a neighbor to pick up the phone and report that parent for abusing that child?

- Will you help make child abuse and neglect **treatment programs** available to **all** children and families that need them, and how will you do this?

- Will you work to ensure that **efforts to prevent** child maltreatment are **substantially increased**, including a major expansion of:

    - home visitation services?
    - parenting education programs?
    - attempts to strengthen neighborhoods in which the safety of children is endangered?
    - increases in material supports such as housing, child care, and prenatal care for low income families including the working poor?

- Will you work to ensure that **family preservation services** are made available to **all** families that merit them?

- What steps will you take to assure that the medical, mental health, justice, education, and social services **systems collaborate** so that all abused and neglected children receive the protection they need and all at-risk families the treatment they need?

- What actions will you take to ensure that the **deaths of children from abuse and neglect** are reviewed by state and/or county comprehensive multi-agency teams?

- What steps will you take to assist communities in developing better ways to **help youth in making the transition from childhood to adulthood,** and in finding their place in society as parents and productive citizens?

- What efforts will you undertake to facilitate public-private partnerships aimed at enhancing the role of the **private sector** in the prevention and treatment of child abuse and neglect?

While government must provide leadership and resources in the struggle to control child maltreatment, making government more responsive is not the only way -- or even the best way -- for citizens to take responsibility for ending it. The Board urges all citizens to consider taking one or more of the following actions after watching Scared Silent.

- **Decide**, if you are hurting your children,
    - to stop;
    - to reach out for help.

- **Determine**, if you know children who are hurting -- children within your extended family, children of friends, children of neighbors -- to reach out to help them
    - by providing resources;
    - by providing support;
    - by providing safety.

- **Undertake** to help friends and neighbors who have children
    - by offering to care for the children of a single parent for a few hours;
    - by reaching out to a family that has just moved to your neighborhood;
    - by taking an interest in the activities of a child in your neighborhood.

- **Pledge**, if you are able to give some of your free time, to
    - become a volunteer with a local home visitation program;
    - serve as a Court Appointed Special Advocate (CASA) for a child in the court system;
    - enlist as a Big Brother or a Big Sister, or as a foster parent;
    - assist in facilitating a Parents Anonymous group;
    - become a mentor for a child in a residential group home;

  - volunteer at a crisis nursery;
  - serve as a mentor for a teen mother or a drug-addicted mother;
  - help mothers and children at a domestic violence shelter;
  - respond to calls to a local crisis line;
  - assist with public awareness campaigns;
  - participate in fundraising activities;
  - use your personal or professional skills to provide technical assistance, in such areas as finance, law, marketing, and program development;
  - promote and organize parenting seminars in the workplace or conferences on children's or family issues;
  - encourage your place of worship to become involved in child abuse and neglect prevention and treatment activities.

- Be an advocate for
  - better staffing in local child protection services agencies;
  - enlightened change in public policy;
  - increased funding for child maltreatment programs;
  - expanded treatment for children and families.

In 1991 the U.S. Advisory Board on Child Abuse and Neglect dedicated its report to

> *the many thousands of American children and families trapped in the throes of abuse and neglect who are waiting for our society, and its governments, to respond to their plight with* ***more*** *than just a report, and* ***more*** *than just an investigation.*

On behalf of them, the Board challenges all Americans to resolve

- **that the abuse, neglect, molestation, and murder of our nation's youngest and most vulnerable citizens by those entrusted with their care will be ended;**

- **that this will be the last American generation in which millions of children experience child maltreatment first-hand; and**

- **that no child will suffer or die because America did not care enough to become involved, because America did not make children's health and safety a priority, or because America was scared silent.**

September 3, 1992

c. Letter to Oprah Winfrey Regarding National Child Protection Reform

August 27, 1992

Ms. Oprah Winfrey
Harpo Productions
110 North Carpenter
Chicago, Illinois 60607

Dear Ms. Winfrey:

Established in 1988 under terms of the Federal Child Abuse Prevention and Treatment Act, the mission of the U.S. Advisory Board on Child Abuse and Neglect is to evaluate the national effort to address child maltreatment. The Act charges the Board to make recommendations to the Secretary of Health and Human Services, appropriate committees of the Congress, and the Director of the National Center on Child Abuse and Neglect on ways in which the purposes of the Child Abuse Prevention and Treatment Act can most effectively be achieved.

As Chairperson of the Board, I wish to bring to your attention the enclosed statement related to Scared Silent: Exposing and Ending Child Abuse. In the statement the Board challenges the nation to address the "national child protection emergency" more effectively. The Board says that government and all Americans should undertake a set of specific actions in response to the television program. These actions are critical, the Board observes, because "the child protection emergency has clearly deepened in all parts of the nation."

The Board's specific recommendations for follow-up actions in response to Scared Silent include the following:

- The Board challenges federal and state officials, to begin the immediate implementation of a universal, voluntary, home visitation system -- in which health workers visit homes of new parents and their babies -- to prevent child maltreatment.

- The Board challenges America to adopt a National Child Protection policy responsive to the gravity of the national child protection emergency.

- The Board proposes a series of 11 questions about child abuse and neglect that voters and the media should ask all candidates for federal, state, and local political office.

- The Board offers a list of 26 concrete activities related to the prevention and treatment of child abuse and neglect in which Americans can participate.

Such actions, the Board believes, will help make this the last American generation in which millions of children will experience child abuse and neglect.

You will note in the statement repeated references to the 1990 and 1991 reports of the Board. Enclosed are copies of those reports for your use.

The Board plans to release the Scared Silent statement to the public -- as well as a statement on the need for prompt American ratification of the Convention on the Rights of the Child -- at a press conference on Thursday, September 3, 1992, at 9:30 a.m. in the Lisagor/White Room of the National Press Club, 14th and F. Streets, N.W., Washington, DC. The Scared Silent documentary will be shown in the Lisagor/White Room at 8:30 a.m., immediately prior to the press conference.

The Board recognizes your extraordinary commitment on issues of child abuse and neglect. If you would be interested, the Board would very much like to collaborate with you in endeavors of mutual concern. To explore that possibility, please have a member of your staff contact Byron D. Metrikin-Gold, the Executive Director of the Board at (202) 690-8332.

The Board appreciates the important contributions you have made, and continue to make, to the protection of the nation's children. By the end of next week, we are certain that millions of viewers of the documentary will share that appreciation.

Sincerely,

Howard A. Davidson
Chairperson

Enclosure

d. Congratulatory Letter to Arnold Shapiro, Producer of Scared Silent

November 5, 1992

Mr. Arnold Shapiro
5800 Sunset Boulevard
Hollywood, California 90028

Dear Mr. Shapiro:

The U.S. Advisory Board on Child Abuse and Neglect wishes to commend you for your efforts in producing the powerful documentary about child maltreatment--Scared Silent: Exposing and Ending Child Abuse. The Board also recognizes and applauds your efforts to have the documentary aired on ABC, CBS, and NBC as well as on the Public Broadcasting Service.

Scared Silent, eloquently and painfully, presented millions of viewers with a unique opportunity for collective acknowledgment of the human dimensions of the national tragedy captured by the term "child maltreatment." Thanks in large part to your efforts, the creative skills of television artists, the civic-mindedness of television network executives, and the generosity of corporations were harnessed in a massive public education undertaking. One result was that officials at all levels of American government and citizens throughout the nation had a new incentive to consider what they could do to respond to a crisis which the Board in 1990 concluded has reached "*national emergency*" proportions.

In its 1990 report the Board called upon the media "to promote public understanding of the child protection emergency ... including coverage of the complexity and seriousness of the emergency ...." The production and airing of Scared Silent is an impressive example of just such an activity.

Congratulations, Citizen Arnold Shapiro, on a job well done. The Board looks forward to working with you on your subsequent endeavors related to encouraging a more effective response by American society to child abuse and neglect.

Sincerely,

Howard A. Davidson
Chairperson

4. Board Statement on the Convention on the Rights of the Child (with Board's Proposed National Child Protection Policy attached)

SUPPORT FOR U.S. RATIFICATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

The Convention on the Rights of the Child was unanimously adopted by the United Nations General Assembly on November 20, 1989, after a decade-long process of development. The Convention is an impressive statement of an international consensus that children are valued as persons, that their human dignity deserves protection as a matter of right, and that their full participation as members of the human community must be ensured.

The U.S. Advisory Board on Child Abuse and Neglect has found the Convention to be useful as a guide to the development of an American child protection policy. In 1991, the Board incorporated relevant tenets of the Convention into its proposed National Child Protection Policy (attached).*

Drawing from the Convention, the Board's proposed Policy recognizes the nation's obligation to prevent child maltreatment whenever possible and, when maltreatment does occur, to "promote physical and psychological recovery and social re-integration in an environment that fosters the health, self-respect, and dignity of the child." The Policy also asserts that children should have the right to a family environment and that "national policy should strengthen families to remedy the causes of child abuse and neglect, provide support for intensive services to prevent the unnecessary removal of children from families, and promote the reunification of families if removal has taken place." Consistent with the Convention, the Policy also acknowledges the importance of providing opportunities for children to be heard in any judicial and administrative matters pertaining to them and with ample opportunity for representation.

---

* The attachment (which follows on pages 81-90) contains the full text of the Board's proposed National Child Protection Policy. Although, for purposes of consistency, those pages contain the header "April 1993," the text is identical to that which originally appeared on pages 41-49 of the 1991 report with the header "September 1991."

To date, the United States has neither signed nor ratified the Convention. It remains under study within the Executive Branch. The Board believes that, once the Convention is signed by the President and ratified by the U.S. Senate, it can become a powerful instrument to protect the physical and psychological integrity of our nation's children.

Therefore, the U.S. Advisory Board on Child Abuse and Neglect strongly urges the President of the United States:

- **to direct those agencies studying the Convention on the Rights of the Child to conclude their analysis rapidly;**
- **thereafter, to sign the Convention promptly; and**
- **thereupon, to submit the Convention quickly to the United States Senate with appropriate reservations, declarations, and understandings to adapt the Convention to the American federalist system.**

Further, the U.S. Advisory Board on Child Abuse and Neglect strongly urges the United States Senate, following the submission of the Convention by the President, to ratify it with all deliberate speed.

Finally, the U.S. Advisory Board on Child Abuse and Neglect strongly urges that -- until these actions are taken -- States, Tribes, counties, and municipalities adopt the Convention as a set of principles to guide their policies affecting children.

August 29, 1992

ATTACHMENT

U.S. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

PROPOSED NATIONAL CHILD PROTECTION POLICY

September 1991

DEFINITIONS:

Child protection system refers to the entire system that serves children and their families in cases where:

- risk of child maltreatment exists,
- maltreatment has been reported, or
- maltreatment has been found to exist.

The child protection system includes but is not limited to **child protective services (CPS)**, the State or County child welfare agencies mandated by law to protect abused and neglected children. Other components of the child protection system include law enforcement, education, health and public health, mental health, developmental disabilities, and court agencies. The system includes public, private, and voluntary agencies and organizations.

A **comprehensive** child protection system is one that incorporates the provisions identified on p. 6 *infra*.

A **child-centered** child protection system is one that:

- takes children seriously as individuals,
- gives primary attention to their best interest, as reflected in their needs and experiences,
- provides opportunities and such representation as may be necessary for children to be heard in matters pertaining to them (when children are capable of such expression), and
- responds flexibly to the diversity of their cultural backgrounds and the circumstances in which they find themselves.

Adoption of the perspective of the child will lead in most instances to a concern with strengthening families.

A **family-focused** child protection system is one that, consistent with p. 3 and p. 7 *infra*, recognizes the paramount importance of the family for the development of children.

A **neighborhood-based** child protection system is one in which:

- primary strategies are focused at the level of urban and suburban neighborhoods and rural communities,
- social and economic supports for troubled families and children are developed at the neighborhood level, where neighborhood is defined by geographic boundaries, and
- both formal and informal services (e.g., volunteer, professionally-facilitated self-help programs) that are based on the principle of voluntary help by one citizen for another are widely available, regardless of whether access to such services is determined by place of residence.

DECLARATIONS:[1]

Respect for the inherent dignity and inalienable rights of children as members of the human community requires protection of their integrity as persons.

Children have a right to protection from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child, including children residing in group homes and institutions.[2]

Children have a right to grow up in a family environment, in an atmosphere of happiness, love and understanding.[3]

The several Governments of the United States share a profound responsibility to ensure that children enjoy, at a minimum, such protection of their physical, sexual, and psychological security.

The several Governments of the United States bear a special duty to refrain from subjecting children in their care and custody to harm.

Children have a right to be treated with respect as individuals, with due regard to cultural diversity and the need for culturally competent delivery of services in the child protection system.

Children have a right to be provided the opportunity to be heard in any judicial and administrative proceedings affecting them,[4] with ample opportunity for representation and for provision of procedures that comport with the child's sense of dignity.

The duty to protect the integrity of children as persons implies a duty to prevent assaults on that integrity whenever possible.

---

[1] Underlined language is drawn from the United Nations Convention on the Rights of the Child, sometimes with minor revision for grammatical form.

[2] *Id.*, art. 19, § 1.

[3] *Id.*, preamble.

[4] *Id.*, art. 12.

FINDINGS:

Each year, hundreds of thousands of American children are subjected to abuse, neglect, or both.

Often the child protection system fails to protect such children from further maltreatment or to alleviate the consequences of maltreatment.

The child protection system has developed largely in unplanned fashion, with resulting failure (a) to reach many of the children in need of protection and (b) to provide effective services to them and their families.

Substantial gaps exist in knowledge about child abuse and neglect, the diffusion of that knowledge, and the development of a pool of trained professionals who are specialized in child protection.

Tolerance of child abuse and neglect threatens the integrity of the nation because of its inconsistency with core American values: regard for individuals as worthy of respect, reverence for family life, concern for one's neighbors (especially those who are dependent or vulnerable), and competence in economic competition.

Failure to provide an effective system of child protection also imperils the nation by increasing the risk of crime and physical and mental disability, diminishing the level of educational achievement, and threatening the integrity of the family.

Such consequences of child abuse and neglect cost the nation billions of dollars each year in direct expenditures for health, social, and special educational services and in long-term loss of worker productivity.

Deterioration in the quality of urban neighborhoods and rural communities increases the isolation of families from their neighbors and, therefore, the rate of child abuse and neglect; child maltreatment itself tears the social fabric of the community and thus escalates the decline of neighborhoods and communities in crisis.

Although the family remains the most fundamental unit in American society, the family has undergone substantial change in recent decades, and the nature of child maltreatment has become more complex. The complexity of the task of child protection has increased commensurately.

An effective response to the problem of child abuse and neglect requires a comprehensive approach that:

- integrates the contributions of social service, legal, health, mental health, and education professionals,
- provides for coordinated roles of (a) private child welfare, mental health, and advocacy agencies, (b) civic, religious, self-help, and professional organizations, and (c) individual volunteers,
- assures the protection of children while in each of the relevant service systems,
- provides for coordinated roles of all levels of government, in cooperation with the private sector, and
- ensures that adequate provision is made in the child protection system for prevention, investigation, adjudication, and treatment.

The prevention and treatment of child abuse and neglect are most effective when organized and delivered at a neighborhood level.

Failure to provide a comprehensive child protection system integrated across and within levels of government (in cooperation with relevant private-sector organizations) results in waste of many of those resources now allocated for child protection.

Substantial reduction of the prevalence of child abuse and neglect and alleviation of its effects when it occurs are matters of the highest national priority.

April 1993

THE FOLLOWING TENETS ARE HEREBY DECLARED TO BE THE CHILD PROTECTION POLICY OF THE UNITED STATES:

The child protection system should be comprehensive, child-centered, family-focused, and neighborhood-based.

The principal goal of governmental involvement in child protection should be to facilitate comprehensive community efforts to ensure the safe and healthy development of children.

Federal authorities should exercise due care to ensure that standards and procedures for public financing of child protection efforts promote and do not inhibit flexible, integrated approaches to child protection in all of the systems of service (e.g., education, mental health) for children and families.

Because of (a) the link between poverty and some forms of child maltreatment and (b) the limited resources available in impoverished communities, Federal aid for child protection should be distributed with due regard to relative financial need of States, their political subdivisions, Tribes, and community health and mental health catchment areas.

Recognizing the complex nature of child maltreatment, Federal authorities should stimulate, integrate, and coordinate leading child protection programs, at least in those public, private, and voluntary agencies that have responsibility for carrying out Federal efforts in social services, health, mental health, advocacy, education, law enforcement, corrections, housing, cooperative extension, volunteer action, and the administration of justice.

Federal authorities should ensure that direct child protection services to children and families within Federal jurisdiction (e.g., military families; Native Americans) are exemplary in quality and that relevant Federal agencies provide models of culturally competent child protective strategies that may be adopted in other communities.

The child protection system should incorporate all appropriate measures to prevent the occurrence or recurrence of child abuse and neglect.

The child protection system should incorporate all appropriate measures to promote physical and psychological recovery and social re-integration of a child victim of any form of neglect, exploitation or abuse; such recovery and re-integration should take place in an environment which fosters the health, self-respect and dignity of the child.[5]

As the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, the family should be afforded protection and assistance necessary for it to assume its responsibilities fully within the community.[6] The several Governments of the United States, in cooperation with private organizations, should act:

- to strengthen families in general to minimize the circumstances that may cause or precipitate child abuse and neglect,
- to provide intensive services to avoid the removal of children from family environments at times of crisis, and
- to make all reasonable efforts to reunify families when abuse or neglect has resulted in removal of a child.

Comprehensive child protection plans should be developed regularly at all levels of government and should show due sensitivity to the cultural diversity and individual needs of children and families.

Child protection efforts should be integrated with broader child and family policy, pursuant, e.g., to the recently-enacted Claude Pepper Young Americans Act.

---

[5] *Id.*, art. 39.

[6] *Id.*, preamble.

Federal agencies are hereby directed to use all means practicable, including financial and technical assistance--in cooperation with State, Tribal, and local governments and other concerned public and private organizations--to fulfill this policy and to act with due urgency in doing so.

To that end, the several agencies of the Federal Government with responsibility for child protection should take all steps necessary to ensure that every community in the United States has the resources--fiscal, human, and technical--required to develop and implement a child protection strategy that will:

- ensure the safety of children,
- prevent child maltreatment, whenever possible,
- result in timely, sensitive, and accurate investigation and assessment, whenever child maltreatment is suspected or known to have occurred,
- result in treatment to ameliorate the effects of abuse and neglect on children and family members,
- aim, whenever possible, to rebuild the families whose ties have been frayed by maltreatment, and
- assure safe, stable, and nurturing substitute family environments when children are temporarily or permanently unsafe in their biological families.

Among the steps that should be taken by the Federal Government to assist communities in their child protection and family strengthening efforts are the following:

- facilitation of community planning;
- generation and diffusion of knowledge relevant to child protection, including models for prevention and service delivery;
- strengthening of States' capacities to assist communities, particularly with respect to moving toward more voluntary preventive services as opposed to emphasizing investigation and foster care;
- stimulation of the growth of human resources (professional, paraprofessional, and volunteer) that communities may use in fulfillment of their plans for child protection;
- sharing of financial resources necessary to implement community plans;
- leadership in uniting caring communities unwilling to tolerate the abuse and neglect of their youngest members.

B. DEVELOPMENT OF THE 1993 REPORT ON A PROPOSED NEW CHILD PROTECTION STRATEGY

1. Technical Papers Commissioned by the Board

a. Background Papers

NAME	TITLE OF PAPER
James Garbarino, Ph.D. Erikson Institute Chicago, Illinois	Neighborhood-Based Programs
Jill E. Korbin, Ph.D. Department of Anthropology Case Western Reserve University Cleveland, Ohio	Sociocultural Factors in Child Maltreatment
Paul Lerman, Ph.D. School of Social Work Rutgers University New Brunswick, New Jersey	Child Protection and Out-of-Home Care: System Reforms and Regulating Placements
Leroy Pelton, Ph.D. School of Social Work Salem State College Salem, Massachusetts	The Role of Material Factors in Child Abuse and Neglect
Ross A. Thompson, Ph.D. Department of Psychology University of Nebraska Lincoln, Nebraska	Social Support and the Prevention of Child Maltreatment
David A. Wolfe, Ph.D. Department of Psychology The University of Western Ontario London, Ontario N6A 5C2	The Role of Intevention and Treatment Services in the Prevention of Child Abuse and Neglect

b. Text of a Concept Paper on a "Neighborhood Based Approach" to Child Protection

A NEIGHBORHOOD BASED APPROACH - WHAT IS IT?

by Frank Barry

Both researchers and practitioners have written about the importance of the neighborhood and the community in relation to family and child development, and about the importance of relating human service intervention to the neighborhood level.[1] A neighborhood based approach is listed as a cornerstone of the recommendations of the U.S. Advisory Board on Child Abuse and Neglect in its first report. This paper is an attempt to identify and analyze various factors which must be considered in understanding and developing a neighborhood based strategy for preventing child abuse and neglect.

A. THE CASE FOR A NEIGHBORHOOD FOCUS

The U.S. Advisory Board on Child Abuse and Neglect's first report emphasized the importance of the neighborhood family ecology in terms of its potential to either prevent or provoke child abuse and neglect.[2] The report specifically mentions the effect of 'dysfunctional communities,' which are "unable to provide even the basic necessities of food, clothing, shelter and employment for large numbers of their residents, let alone amenities most take for granted, such as adequate health care, adequate education, and opportunities for social networking, recreation and personal development in legitimate and constructive activities."[3]

Lisbeth Schorr, in her book Within Our Reach, says, "Both common sense and research tell us that as family stress, regardless of its source, increases, the capacity for nurturing decreases, and the likelihood of abuse and neglect increases. Whether the stress stems from insufficient income, a difficult child, an impaired adult, family violence and discord, *inadequate housing, chronic hunger and poor health, or surroundings of brutality, hopelessness and despair*, these are circumstances in which affection withers into hostility, *discipline turns into abuse*, stability dissolves into chaos, and *love becomes neglect*." (italics added)[4]

The National Commission on Children concurs: Beyond Rhetoric, the Commission's final report, states that "Rebuilding a sense of community and reinvigorating informal systems of support for families and children should be a primary goal of social policies."[5]

Kromkowski writes, "A neighborhood's character is determined by a host of factors, but most significantly by the kinds of relationships that neighbors have with each other."[6] In 1979 Cochran and Brassard argued that the relationships parents have with other adults play a major role in helping (or hindering) them in their task of raising their children successfully.[7] Cochran later found that expansion of the personal network of single mothers positively affected the performance of their children in school.[8]

According to Garbarino and Sherman, an impoverished neighborhood environment can make it very difficult to develop and maintain social support relationships: "The high risk neighborhood is not a good place to bring up children. A family's own problems seem to be compounded rather than ameliorated by the neighborhood context, dominated as it is by other needy families. Under such circumstances strong support systems are most needed, but least likely to operate."[9]

In a more recent paper, James Garbarino and Kathleen Kostelny compared neighborhood characteristics, attitudes and child abuse reporting rates in several Chicago neighborhoods. They concluded that "Child Maltreatment is a symptom of not just individual or family trouble, but neighborhood and community trouble as well."[10]

In short, if we are to prevent child abuse and neglect, we cannot ignore environments which by their nature predispose families to abuse or neglect their children. Yet, the child protective system in place today focuses largely on individual families, rather than neighborhood or environmental factors. It is based on the assumption that most families function reasonably well and that direct individual attention will be effective for the occasional family which does not. While a system emphasizing an individual approach might be adequate in a healthy community, it cannot work well when the environment in which families live is itself so dysfunctional that even strong families must exert strenuous efforts just to survive. It cannot work well in conditions which Garbarino and Kostelny refer to as "an ecological conspiracy against children."[11]

B. HISTORICAL PERSPECTIVE

There is nothing really new about the neighborhood based approach. In their book, Social History of Helping Services, Murray and Adeline Levine describe the beginnings of mental health and helping services in response to social disorganization resulting from rapid industrialization, immigration and urbanization after the Civil War. They noted that the settlement houses, which began in the 1880's, the first psychological clinic (1896) and other service innovations of the time were heavily community oriented. "Those early services were embedded in the community, were concerned with the educational process, and were oriented toward prevention. In short...our predecessors began with the types of services the community mental health movement seems to be struggling toward today."[12] What happened in the mental health field was happening in other fields as well. Their description of the early settlement houses, visiting teachers and the first probation workers portrays a strong ecological approach, in which considerable attention was devoted to environmental problems as a means of meeting individual needs.

During the 1920's and 30's, according to the Levine's, the settlement houses, social workers, mental health clinics and courts became more bureaucratic and professionalized. In addition, the political climate became more conservative. Collaboration between clinics and schools grew more tenuous; confidentiality became a barrier to interagency communication.[13] Professions developed more rigid identities, and mental health professionals in particular began to suffer what Sarasen refers to as 'professional preciousness'--an attitude which holds that "one's professional training has uniquely fitted one for carrying out mental health services."[14] This attitude began to overshadow the holistic approach of the early days when settlement house workers, clinicians and probation officers were feeling their way and working closely with each other and with other elements in the community. By the end of the 1930's, psychoanalysis--perhaps the antithesis of the neighborhood based approach--had become very popular, especially among upper class clients. Psychiatric clinics responded by shifting their attention away from their initial constituency, low income children with behavior problems in school.[15] The neighborhood based approach was out.

But something deeper was at work as well. The Levine's describe two competing approaches to social work and helping services, the 'situational' and the 'intra-psychic,' which stem from two fundamentally different assumptions about the nature of people in need of help. "The situational mode assumes a person who is basically 'good' but who has been exposed to poor conditions, and therefore has not developed to his fullest potential. Improving his situation (making adjustments to his environment) will result in far-reaching improvement in his psychological state.... The intra-psychic mode assumes 'goodness' of the environment...a person is in difficulty, not because of his situation, but because of his inner weaknesses and failings...what has to be changed is not the circumstance but the person."[16]

The Levine's hypothesize that the situational, or community approach has historically been popular in times of change and reform; the intra-psychic approach has tended to be popular in more conservative eras.[17]

In retrospect it seems clear that neither approach alone is sufficient; in fact, both are needed. Certainly child abuse and neglect result from serious human deficiencies. Not all, or even most parents maltreat their children, no matter how poor they are. Yet, if we ignore ecological factors that force many families to live under extremely stressful conditions--conditions that aggravate and may even cause the personal deficiencies that push some of them over the edge--we are unlikely to ever solve the problem. As the U.S. Advisory Board has made clear, there is simply not the capacity to address all these deficiencies on an individual basis.[18] The present individually based system has become overwhelmed by sheer numbers, and as long as we think chiefly in individualistic terms, it probably always will be.

C. ECOLOGICAL EFFECTS: BASIC PRINCIPLES

In order to address preventing child maltreatment from a community or neighborhood perspective, we would propose a set of assumptions which incorporate elements of both approaches described by the Levines:

1. Child abuse and neglect result in part from stress and social isolation.

- The degree of stress and social isolation or integration one experiences depends on both internal (psychological) and external (environmental) factors.

2. The quality of neighborhoods where people live can either encourage or impede parenting and social integration of the families who live in them.

- Since neighborhoods constitute the family environment, some child abuse and neglect can be prevented by improving neighborhoods to reduce stress and facilitate social integration.

3. The quality of life in neighborhoods is influenced by both external and internal forces.

- The quality of life in neighborhoods is influenced both by the nature and abilities of the people who live in them (internal), and by external forces such as economic conditions, political relationships, and availability of services and other resources (external). Some of these forces (internal and external) can be easily influenced, others cannot.

4. Any strategy for preventing child maltreatment should address both internal and external dimensions, and should focus both on strengthening at risk families and improving at risk neighborhoods.

- No comprehensive strategy can afford to ignore either the internal or external, (personal versus environmental) dimensions. Focusing only on helping high risk families to overcome the effects of an inadequate environment is clearly less effective than attacking the environment itself; but concentrating only on improving the neighborhood environment (providing additional housing, employment, parks, etcetera) is not enough when many of the residents have major deficits (such as lack of work experience, inadequate social skills and an inability to relate well to other people). Schorr makes the point that it is not one factor alone that causes adverse outcomes in child rearing; the "interplay between constitution and environment is far more decisive in shaping an individual than either alone."[19] Schorr says further that, "Putting together what is known about childhood risk factors shows clearly that the plight of children bearing these risks is not just individual and personal, and therefore requires a societal response."[20]

  Schorr's book is concerned with far more than child maltreatment, but maltreatment is one of many factors she describes that lead to a series of "rotten outcomes" for children. For Schorr, child maltreatment is also one of a number of negative results of environmental pressures on at risk families.[21]

D. THE SIGNIFICANCE OF NEIGHBORHOOD ACCORDING TO INCOME

Fitchen, Garbarino, Cochran and others have written on the importance of the neighborhood environment for the families who reside in it.[22] However, in our highly mobile society many functions once performed in geographical neighborhoods are now accomplished through diverse and extended networks that include contacts at one's job, civic, religious, social and other organizations that extend far beyond one's geographical area of residence. The automobile, the telephone and television have greatly reduced the extent to which vital socialization functions are performed on a face to face basis among family members and acquaintances living in the same immediate area. For many in middle and upper income families, the concept of a close knit neighborhood as the basis for socialization has been relegated to nostalgia.

However, this is not the case for everyone. While automobile owning middle class families can move freely beyond their residential area, low income families tend to have less ability to move about beyond their neighborhood, and fewer connections beyond their immediate environment. Consequently they are much more vulnerable to conditions within the limited geographic area in which they live.[23] By the same token, the quality of the neighborhood may have much more impact on children than their parents, because again, children cannot so readily escape it.

For this reason, improving or maintaining the neighborhood becomes critically important for low income and other low mobility families. But unfortunately the neighborhoods which most need help often have the fewest resources available for improvement.[24] Cutbacks in federal and state revenue sharing and other local assistance programs within the last ten years have aggravated this reality.[25] So has the "brain drain" which has occurred as the more upwardly mobile minority families have left inner city neighborhoods for less stressful suburban environments, as discriminatory housing practices have broken down.[26]

E. COMMUNITY VERSUS NEIGHBORHOOD

The terms "community" and "neighborhood" are used frequently, and at times seemingly interchangeably, to denote a grass roots approach. However there are real differences in the meanings and they are important for this discussion. Webster's dictionary makes it clear that the term "community" is the more general of the two. It may refer either to a place, or to a class of people having something in common. It may be small or as large as a "state or commonwealth," or a "community of nations."[27] Chavis and Wandersman suggest that the idea of a broader sense of community which transcends place is a relatively recent theoretical concept, resulting from the advances in communication and mobility mentioned above.[28]

The term "neighborhood" has not taken such a leap however. All Webster's definitions still involve the concept of nearness, proximity or "neighborliness," which presumably requires geographic proximity.[29] As a result, people may belong to a number of communities, depending on their interests, affiliations, and the way community is defined. But most will presumably belong to only one neighborhood, based on the location of their primary residence.

The term "neighborhood" is often used in an urban context, while the word "community" may be heard more frequently with respect to rural settings. The term "community" is also more likely to refer to an entire town, city or county than "neighborhood." An urban neighborhood may consist of one or several blocks, while a rural neighborhood might consist of several square miles or even more area in very sparsely settled areas. For our purposes, a neighborhood constitutes a geographic area within which people feel physically (if not always socially) close to each other. We are especially concerned with neighborhoods whose residents have limited ability to belong to larger communities on the outside because these residents are most profoundly affected by the quality of life in their neighborhoods.

F. WHAT IS A NEIGHBORHOOD BASED APPROACH?

A Neighborhood Based Approach will presumably focus both on improving the viability of the neighborhood itself and on organizing services to individual families in the neighborhood in ways that respond effectively and holistically to their needs. These two facets are intertwined, as some of the individual needs will result from shortcomings of the neighborhood environment, and conversely, the quality of the neighborhood environment will be influenced by the abilities and limitations of the families who live in it. "Families both shape their surroundings and are shaped by them. This interactive process can enhance or undermine family functioning."[30]

For our purposes it may be useful to discuss services to individuals separately from services to the neighborhood; although the two are intertwined, they evolve from different starting points.

1. Neighborhood Based Services to Families

Perhaps it will be most helpful to view the various aspects of a neighborhood based service on a continuum, beginning with the most basic characteristics and gradually evolving toward a more complex version of the concept. The neighborhood based service concept, as we present it here, begins with an almost exclusive focus on individual needs within the neighborhood. But as we move across the continuum, the concept takes on characteristics that respond to neighborhood needs in addition to those of the individual.

a) Geographic Accessibility

The neighborhood based service concept implies that at least some service should be physically located in the area to be served. This is more important for poor neighborhoods than for middle and upper class areas, because of the superior mobility of middle and upper class residents, yet it is the latter rather than the former who tend to have the most access to facilities. Accessibility may be provided through outposts, shared facilities, or circuit riders, if necessary.

Accessibility will always be limited; obviously it is not practical to have a highly specialized professional such as a surgeon or psychiatrist in every census tract or neighborhood; in fact the more specialized the service, the more difficult it is to get it out of a centralized location. But accessibility to specialized services can be strengthened when local neighborhood based services which are more general in nature, perform outreach, intake, referral, coordinating and followup functions. All this can greatly facilitate access to specialized services located elsewhere. For example, a neighborhood center can improve access to medical care simply by providing a worker to accompany a non-English speaking immigrant on her first visit to a surgeon located outside the neighborhood.

The important thing is to have at least some service physically present in the neighborhood itself; this can vary from a travelling van that stops regularly to visit rural trailer parks to a full scale family resource center, settlement house, community center, community school, clinic, outpost or 'one stop' center.

The locally based center can invite social workers, counsellors, doctors or other specialists into the neighborhood, perhaps on a regular basis, or it can assist local residents in making contact and arranging transportation to services outside the neighborhood. Such a service might also arrange preventive services such as well baby clinics, child development classes, play groups, support groups and home visits that in the long run may reduce the need for more specialized treatment. The key is to have a non-threatening place where local people can go for help and support without the stigma implied by extensive eligibility requirements.

Accessibility also has a cultural dimension. In neighborhoods with high numbers of ethnic or minority populations, it is important to ensure that program staff reflects the cultural composition of the neighborhood; for members of some cultural groups, an all white staff that speaks English only, can be just as much of a barrier to participation as transportation problems or a high fee.

b) Comprehensiveness

Schorr has concluded that services which succeed with multiproblem families are comprehensive and flexible. They "typically offer a broad spectrum of services" that may include housing, medical care, food, income, employment or anything else that seems to the family to be an insurmountable barrier before they can make use of other interventions such as advice on parenting. "No one says, 'this may be what you need, but helping you get it is not part of my job.'"[31]

This is not always easy to achieve. According to Schorr, "What is perhaps most striking about programs that work for the children and families in the shadows is that all of them find ways to adapt or circumvent traditional professional and bureaucratic limitations when necessary to meet the needs of those they serve."[32]

c) Local Networking and Coordination

"Neighborhood based" implies a connection with all aspects of the neighborhood, including other service agencies and systems, both formal and informal. Local task forces, planning councils and interdisciplinary teams, supplemented by encouragement of agency staff to form their own interpersonal interagency networks, can make services more effective.[33] Coordination at all levels is an important aspect of accessibility; if agencies responding to different problems do not work together, families may get caught up with several agencies at once, some of which may be working in different directions.

Coordination must be measured primarily from the perspective of the recipient of services which may differ from that of the provider. Consolidated intake procedures, interdisciplinary case management teams, "one stop" service locations, ease of referral and followup, all directly benefit those receiving the services.

d) Neighborhood Involvement in Decision Making

The neighborhood based service concept presumably implies some involvement of neighborhood residents and organizations in planning and decision making. The following quote, from Rudolph Sutton, of the Philadelphia Health Department, says it well: "Ask them what should be done about the problem: that's how you build trust--by sharing power."[34] At the most basic level this could be done through consultation with organizations and opinion leaders within the community. A more sophisticated level is reached when community residents serve on advisory or governing boards, and hold line and/or administrative positions.

Involving people in dysfunctional neighborhoods in planning and service development is somewhat paradoxical because sometimes it can be extremely difficult to find effective, positive leaders in such communities. But this simply underscores the urgency of the task. Highly dysfunctional neighborhoods desperately need positive leadership, and planning activities can provide an opportunity for potential leaders to develop their skills. For 25 years Head Start and other antipoverty agencies have required recipient participation in program planning and governance, and their success has demonstrated that it is possible, if not always easy, to do. The non-profit Citizens Committee for New York City, which provides assistance and training toward leadership development for neighborhood and block associations, now communicates directly with 16,000 such groups, over 5000 of which it has helped to organize. Many are in low income minority neighborhoods.[35]

Neighborhood input and involvement are especially important when the neighborhood is made up of minority cultural groups, particularly when different languages are involved. It can be important also in rural areas, where low income people's needs and lifestyles may be poorly understood by service administrators and planners. Neighborhood involvement serves as a means of ensuring that services are relevant to neighborhood needs, as a means of gaining acceptance in the neighborhood, and as a means of empowering otherwise disenfranchised people to begin to influence their environment and the conditions which affect their lives.

Often neighborhoods with large minority or ethnic populations have more leadership than may be apparent to an outsider. It is important to acknowledge and involve local leadership in any effort to develop neighborhood based services. Involving local neighborhood leadership permits building the program in such a way as to respect and take advantage of cultural customs and traditions. All cultures have their own mechanisms for responding to human problems, and some such practices may be more acceptable and more effective for their members than standard practices like counselling and psychotherapy. To the extent possible, neighborhood based services should be consistent with the cultural values and traditions of neighborhood residents.

Finally, leadership development in dysfunctional neighborhoods is also important not only to mobilize internal resources, but also to utilize external assistance effectively. Such neighborhoods are unlikely to be able to "turn around" with internal resources alone but neither can they do so solely with external resources. Internal leadership is essential for bringing both together.

e) Neighborhood Control

Neighborhood services may be developed and provided by community based organizations which are controlled within the neighborhood. Such organizations may provide local services under contract to state or local public agencies. This is perhaps the most sophisticated example of the neighborhood based service concept, and neighborhood based agencies can provide unique opportunities to develop the leadership and skills which are essential for major neighborhood improvement.

Some neighborhood based organizations have evolved far beyond the realm of human services, to provide housing, employment, transportation, medical and even financial services. Such organizations can provide both advocacy on the outside, and success stories and role models for those growing up inside the neighborhood.[36] Their success can provide a source of hope and pride which are essential for neighborhood improvement.

2. Strengthening the Neighborhood Itself

Although the previous section focuses on agencies providing services to families, it must have become clear by now that such services may have a decidedly positive effect on the neighborhood as well. This section will focus on interventions that start out to strengthen the neighborhood, and may in the process meet individual family needs as well.

Environmentalists have developed legal procedures and standards to preserve individual species of fish and wildlife. Standards have been established for air and water quality to ensure the survival of those who depend on it. If a river or lake, or the air in a metropolitan area, fails to meet environmental standards, somebody is required to take action. Government agencies must identify the sources of pollution, prosecute any illegal polluters and develop and implement plans to reduce the pollution.

Environmental impact studies are now required before any major construction project can go forward, and major projects have been stopped completely because they threatened the environment of a particular species of bird or fish.

The children who live in impoverished and dysfunctional neighborhoods are surely no less important to the survival of our civilization than the snail darter fish or spotted owls now protected under environmental law. Perhaps it is time we invested our energies and legal skills to ensure at least minimally suitable environments for our families and children. Perhaps neighborhoods should be rated on a scale of adequacy versus risk in terms of raising children. Neighborhoods at high risk would receive special attention, just as the discovery of a high level of pollution would bring special attention to a body of water.

Improving the viability of the neighborhood will involve attention to physical, social and psychological aspects. Physical aspects will involve housing, jobs, stores, facilities for recreation, day care and other needs. Social and psychological aspects will include improving safety and strengthening various organizations (churches, clubs, sports leagues, civic and political organizations, youth activities) that provide a setting in which people can belong and interact positively with each other. Belonging and interacting are not only important in their own right, but also because they facilitate the development and expansion of informal networks among neighborhood residents. Besides strengthening the ability of parents to parent, these networks are essential for achieving the norm of 'neighbor helping neighbor' rather than dependency on outside services.

A comprehensive neighborhood improvement approach would involve strategies on several levels, including the following:

a) **Neighborhood Based Planning**

Since neighborhoods do not necessarily coincide with political jurisdictions, it can be difficult to ensure that they receive adequate attention in the various planning and funding processes which affect them. Planners and politicians often oversee areas encompassing a number of neighborhoods, and they typically respond most favorably to communities which are best organized, rather than those with the greatest needs. A truly neighborhood based approach would require that local government, not only monitor the condition of the various neighborhoods within its boundaries, but that it also identify those neighborhoods most in need of improvement, and develop and implement a plan, in cooperation with their residents, to remedy the most serious problems.

b) Allocation of Resources

At present many federal and state funds are distributed to states, counties, cities and towns without regard to neighborhoods. Because planning often takes place on a larger level there is no guarantee that plans will be responsive to the neediest neighborhoods, or even that they will have a neighborhood focus. A neighborhood based approach would not only ensure that appropriate resources are distributed to neighborhoods, but, as suggested above, would employ criteria to identify at risk neighborhoods with special needs.

Such at risk criteria could be based on social indicators such as rates of unemployment, high school dropouts, teen pregnancy, infant mortality, low birth weight, adequacy of prenatal care, child maltreatment reports, drug usage--all potential indicators of a dysfunctional environment. Once high risk neighborhoods have been identified, several actions could be taken:

- Federal and state governments could establish procedures to waive categorical program barriers in order to provide maximum flexibility for meeting the most serious needs in a comprehensive manner. Since many families in dysfunctional neighborhoods have multiple problems,[37] the presenting problem may have less significance than it would for families with only one or two problems. Investing categorical funds to help multiproblem families may prevent many problems in addition to the one for which the funds are designated--child maltreatment, alcoholism, crime, unemployment, teen pregnancy, to name a few. Therefore combining funds to develop a comprehensive approach is likely to satisfy the goals for all the funding streams utilized.

- The American Public Welfare Association[38] emphasizes the importance of offering some preventive services to everyone rather than following what Cochran calls the "deficiency based model,"[39] which requires demonstration of incompetence and dysfunction in order to receive help.

While it may be too much to begin immediately providing universal services on a preventive basis, it may be a wise allocation of society's resources to begin by doing so for those individuals who live in a dysfunctional environment. Schorr points out that the most dysfunctional inner city neighborhoods comprise only 1% of the U.S. population.[40] Even assuming a large undercount factor, providing key preventive services to people in these neighborhoods on a geographic eligibility basis would not unduly strain our country's financial resources, especially compared to the results of our failure to do so.[41] In these neighborhoods an important objective may simply be to bolster the efforts of families that are presently functional in order to ensure that they remain so.

- Finally, extra funds could be provided to help those communities most in need, perhaps through a set aside for impoverished neighborhood development in existing community development block grant programs. This would follow precedents set by the Appalachian and Model Cities programs of the 1960's. This could offset the vicious cycle of decline in which each level of deterioration sets off others. (For example, a local bank closes, making it very difficult for would be homeowners to buy property; as existing homeowners leave, they are replaced by absentee landlords and renters; crime rates increase, causing some businesses and services to close down, throwing people out of work, and driving some out of the area. Crime increases still more, still more businesses close down....

In assessing the needs of different neighborhoods we suggest that particular attention be paid to several key areas. These are:

Safety

Gang wars in Chicago, Los Angeles and elsewhere not only kill many innocent people--children and adults--but have virtually cut off basic human interaction of the type needed to develop and maintain the support networks required to successfully raise children. For parents in these neighborhoods, sheer survival for themselves and their children has become an all-consuming preoccupation.[42]

It is ironic that despite the collapse of the Soviet Union we continue to spend hundreds of billions of dollars on weapons of mass destruction and we continue to train and equip our soldiers to combat guerrilla movements in faraway places. We have done far less to end the guerrilla warfare now going on right in some of our own cities--even though the resulting violence is tragically affecting and warping our own children and families. Because of the fear and danger involved, often relatively little can be done to improve community life in neighborhoods where such violence continues. Top priority needs to go to ending the siege-like conditions faced by those who live there.

There are other neighborhoods where violence is less pervasive, but still viewed as a serious problem. Here there may be a greater possibility for improvement, or at least prevention of further degradation. It is important to encourage this, lest such neighborhoods fall victim to the kind of violence mentioned above. Some such neighborhoods have been able to largely banish crack and cocaine dealing by organizing their citizens effectively.

Housing

Cochran argues that housing ownership is a critical factor in the stability of neighborhoods and the ability of parents to form individual support networks. When most residents are renters, their commitment to the appearance of the buildings they live in tends to be low, and an atmosphere of disorder results. Perhaps even more important, renting tends to be associated with high residential mobility among the very poor. An illness or any other emergency can consume cash needed for rent payments with predictable results. When families are constantly moving, it is very hard to establish and maintain friendships and support networks. Other countries have found ways to give low income residents a piece of ownership in their living quarters.[43] Whether it be done through subsidized mortgage payments or other means, increasing home ownership would go far in improving social interaction and the quality of life in low income neighborhoods. Some of the problems faced by dysfunctional neighborhoods have resulted from past practices of 'redlining' by banks. The refusal to make home improvement or purchase loans to residents of a particular neighborhood virtually guarantees its further decline, as those with the potential and desire to improve their homes are virtually forced to move elsewhere. Fortunately there is now some movement among the banks to end this practice.[44]

A corollary of this is the urgency of increasing the supply of housing as well as the supply of single room occupancy apartments. In many low income neighborhoods there simply are not enough homes and apartments available for all who need them. Resolving the problem of low income housing supply will ultimately require new fiscal priorities at the federal level. Until these priorities change, many low income neighborhoods are likely to remain unable to provide an adequate environment for families to raise their children successfully. The scarcity of housing units will continue to seriously impede the ability of low income families to maintain the social support networks that work to prevent child abuse and neglect.

Education

Cochran found that the size of the family network depends directly on the amount of education received, and he consequently argues for more and better education as a means of improving parenting.[45] Although there are exemplary schools in some low income neighborhoods, a more flexible approach is needed in many others. This might include direct involvement of business and industry to underscore and ensure the relevance of schooling. It might include elements of an apprenticeship program, use of more active teaching tools than reading and lecturing, as well as a more concerted effort, involving parents, to instill an interest in reading.

Clearly more attention is needed to make education more relevant for kids who come in without much hope. Schools in a number of communities are finding better ways to involve parents, employers, and the kids themselves to make education a more relevant neighborhood enterprise. New York State has developed a 'community school' program that provides extra funding to help schools to more fully exploit their potential to involve parents and to strengthen the community.

Municipal services

Roderick Wallace has found a high correlation between the closing of fire stations in certain low income neighborhoods in New York City, and the subsequent catastrophic decline of these neighborhoods. Wallace found that in neighborhoods without adequate fire protection, fires were more likely to destroy an entire building rather than simply the room or apartment in which they start. Such fires destabilize a neighborhood, forcing many people to move, often causing overcrowding in the remaining units, which can in turn lead to more fires.[46] Burned out buildings lead to abandonment by landlords, withdrawal of municipal services, and these ills force many to become 'precariously housed' with other family members or friends. Many ultimately leave the neighborhood and/or become homeless. Wallace concludes that the acute housing shortages and population pressure lead to more burnouts, higher rates of substance abuse, homicides, suicides and AIDS, as well as the "destruction of personal, domestic and community social networks."[47]

Closing a fire station in a low income neighborhood can have devastating consequence as one destroyed building can make scores of people homeless. By contrast, one destroyed building in an upper income neighborhood usually affects one or two families at most.

While Wallace picked fires as perhaps the most dramatic consequence of reductions in municipal services, he notes similar results from the reduction in other services such as garbage pickups, health care and police protection. Any action that weakens the neighborhood increases stress levels for parents, makes survival more difficult and diminishes their ability to maintain friendships and the support network they need to parent their children successfully.

* * * * *

This list could continue. Clearly medical services are critically important to the stability of a neighborhood, and many communities are losing them, particularly in rural areas. The same could be said for mental health services. Employment is important as well, and so is transportation, especially where employment is limited.

* * * * *

A unique perspective on neighborhoods comes from Andres Duany and Elizabeth Plater-Zyberk, writing in the Wilson Quarterly.[48] They argue that since World War II, planners, zoning ordinances and architects have seriously weakened our sense of community even in affluent neighborhoods by designing development to meet the needs of automobiles rather than people. Segregating businesses and industry from residential locations removes the very neighborhood institutions that used to bring people together. It also forces everyone to drive for the most trivial errand, ending the casual neighborly interactions that used to take place on the way. Most of all, it reduces the sense of community.

3. The Social Dimension

In addition to the aspects mentioned above, specific attention should be given to social structures themselves. What mechanisms are there to bring people together in a positive way? Churches, bowling leagues, clubs, and civic groups all do this. But in some settings like rural trailer parks, there may be few if any such activities. Could trailer parks organize their own sports leagues? High mobility would be a problem, but probably not an insurmountable one.

In this regard it is particularly important to focus on youth--not only on the mechanisms that bring them together, but equally important, the mechanisms for helping youth to make the transition from youth to adulthood. Failure in this area can lead to teen pregnancy, substance abuse and criminal activities, all of which can result in child abuse and neglect. Neighborhoods need to pay attention to the mechanisms that exist for positive contact between youth and adults. Job situations which allow a youth to work closely with an adult help--but are often scarce in depressed neighborhoods. Sporting and recreational activities involving teamwork and contact with adults are important. So are extended family relationships involving close contact with aunts and uncles, as well as neighborhood or cultural events which involve kids.

Unfortunately, in many neighborhoods there are simply too few opportunities of this type. Bronfenbrenner sees a need for "Programs that create and strengthen consensus and connections between the family, the school and the peer group, (and) programs that increase the involvement of responsible adults in challenging activities with children, adolescents and youth...."[49]

A disturbing dimension of the youth issue involves latchkey children. In a rural bedroom community in upstate New York, we found that one of the top concerns of parents and community leaders was 'what happens with our children between the end of school and the time we get home from work.' For kids too old to be in day care, there were few structured activities. The school provides a late bus only one day a week. Perhaps not coincidentally, alcoholism among teenagers was also a major concern in this community. A new committee of kids and adults is now working to organize after school activities for kids.

4. Human Services that Strengthen the Neighborhood

As indicated in the previous section, many human service programs designed to help individuals actually work in ways that strengthen the neighborhood as well. To some extent, the neighborhood is strengthened by their very presence. But it can be strengthened even more if the service operates so as to bring people together in ways that increase positive interaction and neighborliness. Actually, schools do this when they sponsor sports events, and perhaps for this reason, schools often serve as the center of the community, especially in rural areas. People may belong to different churches, but all their children will go to the same school. It's the one institution that brings virtually everyone together. Unfortunately however, some families for various reasons do not become involved in school activities, even though they are often the families who most need to be involved.

Head Start centers work with individual families, but they also involve parents in the classroom as volunteers, and in social and recreational activities as well as policy making. From the writer's experience as a Head Start trainer years ago, it was clear that these parent involvement activities actually create networking opportunities for families which would otherwise be isolated. Family Resource Centers often do the same, involving neighborhood parents in recreational and educational activities and creating new groupings in the process.

A major tool of the settlement houses was the club--which provided a place for people in the neighborhood to belong.49 Clubs were formed for people of all ages for various purposes. They helped to ensure that people felt that they were important--that they mattered. And in the process they helped people to develop their own network of friends. To some extent, Family Resource Centers, where they exist, have become today's equivalent of yesterday's settlement houses.

In their desire to help individuals--particularly those with few social skills--it is important for human services not to replace or take over the function of social networks. Human service workers may be a person's only friend initially, but they cannot fill that function indefinitely if they are going to work with others too. Human service agencies that encourage people to develop their own networks contribute to the viability of the neighborhood; agencies that actively develop group activities strengthen the neighborhood still more. By establishing new settings for people to get together and interact, they increase the neighborliness in the area involved. By implication the quality of parenting will improve as people feel more comfortable with their neighbors and extend their social support networks as a result.

Human service agencies also strengthen the neighborhood when they help its residents to develop their leadership potential and participate in resolving community issues. To the extent that they can organize and empower neighborhood residents to resolve major issues they face, they strengthen the viability of the neighborhood. Community action programs may do this by organizing a tenants association or a day care group to address child care issues. A local police department may do it by organizing neighborhood watch groups that address crime problems. Youth programs which provide constructive challenges and responsibilities to kids who would otherwise be on the streets, strengthen the neighborhood even more. By encouraging people to work together all these efforts tend to increase neighborliness.

G. CULTURAL RELEVANCE

Cultural relevance is a basic tenet of any neighborhood based approach. In neighborhoods with large immigrant or minority populations, the most basic step is to ensure that the approach involves people able to communicate in the language(s) of the neighborhood. Those offering a service, organizing or otherwise intervening in community life must either be part of the local culture or be very familiar and comfortable with it. Otherwise community residents will not feel understood, accepted and welcomed by those developing and offering the program. This is particularly important in neighborhoods where education and income levels are low.

In neighborhoods with a strong ethnic culture, residents often develop their own local networks and support systems, and any neighborhood based approach needs to be able to identify this capacity and reinforce it. It is also important to understand the significance of cultural customs and traditions, particularly regarding childrearing, so as to be able to distinguish between legitimate cultural differences and practices harmful to children. Finally, it is important to understand the local culture well enough to celebrate it--to enjoy and participate in festivals and customs and to reinforce parents in instilling a positive sense of cultural pride and identity in their children.

Many neighborhoods will incorporate several cultures, and it may not be possible to employ someone from each. But it is usually possible to find someone in the community from each culture who will be willing to advise and assist in understanding that culture and in communicating with someone new in need of help. When several cultures are involved, neighborhood based programs can play a major role in promoting intercultural understanding and appreciation, and a multicultural staff will provide a visible role model for accomplishing this. Celebration of cultural traditions may become even more important in this regard, as this can become a useful vehicle for instilling mutual appreciation rather than conflict. It can also provide a supportive setting for parents to develop and expand their own support networks of friends and relatives.

For neighborhoods with high immigrant populations, teaching literacy and 'English as a Second Language' courses can be very important in helping people to become more competent in adapting to this culture, as well as in locating and keeping an adequate job.

While cultural differences tend to be most obvious in urban inner city neighborhoods with large immigrant populations, they can be significant in rural areas, too--even when residents look like those of the predominant culture. Differences in rural areas may have more to do with social class and neighborhood of origin than race or ethnic background, but they should not be overlooked. To be effective, a rural program needs to involve people from the population it serves, just as is done in urban settings.

H. MINIMAL REQUIREMENTS FOR A NEIGHBORHOOD BASED APPROACH

Following the environmentalist model suggested above, perhaps there should be minimum requirements for responding to dysfunctional neighborhoods. Perhaps human ecologists can agree on several key responses which should be established in every dysfunctional neighborhood, along with more fortunate neighborhoods, where needed. These might include neonatal home visiting services for families, health clinics in middle and secondary schools, and at least one agency which offers intensive, comprehensive, individualized flexible services with, as Schorr puts it, "aggressive attention to outreach and to maintaining relationships over time--perhaps frills for fortunate families, but rock-bottom essentials for high risk populations."[50]

Other things to aim for--in addition to basics such as housing, health care, and adequate education--will include organizations and institutions which provide an opportunity for people in the neighborhood to interact with each other. People who do not have anything to belong to or to participate in will find it more difficult to develop the kind of individual support networks essential for maintaining their own families. As long ago as 1958, Macoby found juvenile delinquency was inversely proportional to the "integration" of the neighborhood (extent to which residents knew their neighbors by name, felt free to borrow something they needed, belonged to the same church, attended church, and held positive feelings toward the neighborhood).[51] Churches, settlement houses, bowling and baseball leagues, Head Start programs, school PTA's, Kiwanis Clubs, sewing clubs all provide means of integrating the community by giving its residents something to belong to and a setting in which they can interact with each other positively.

I. DEFINING NEIGHBORHOODS

Part of the difficulty encountered in any neighborhood based approach will be to define neighborhood boundaries. Typically they do not coincide with political or other jurisdictions, and often it may not be clear where their boundaries lie--this may depend on whom one talks to. A true neighborhood based approach would begin with an effort to identify and map all the major neighborhoods in a jurisdiction--an effort which could consume substantial amounts of time and energy in a large city. Political wards and election districts may be somewhat useful in establishing boundaries, and they may be meaningful in terms of political connections--but the lines may shift every few years when census results are tallied. School districts are often larger than neighborhoods, and in rural areas they may cross several towns or even county lines. But they do have some legitimacy inasmuch as schools provide an important center for neighborhood activities, especially in rural areas.

Schorr refers to the census tract as the "statistical equivalent" of the neighborhood[52]--certainly this measure has the advantage of being the most convenient breakdown in terms of demographic data.

Clearly to serve as a meaningful unit, a neighborhood needs to have some center(s) of economic or other activity around which people can come together. These could include factories or other places of employment, schools, churches, parks, businesses and stores. Secondly, in order to develop any significant improvement effort, an entity is needed which can exert leadership and receive and disburse funds. This could be a neighborhood or civic association, or a locally based agency. In some instances (i.e., rural trailer parks), this may be difficult to find, and a new association may have to be developed.

The neighborhood concept may be easier to define in urban settings than it is for sparsely populated rural areas. In an urban area it is presumably possible to include every home in some neighborhood or other, but in a rural area this may not be the case, as some houses may simply be too isolated. Secondly, in very sparsely settled rural areas, there may not be the critical mass of people necessary to get things done. Finally, while it is relatively hard to envision a major city with no economic base, rural areas can and do lose their economic basis (a mineral deposit may become exhausted, family farms may cease to be profitable, an external economic base, i.e., a military installation may disappear, etcetera). In some neighborhoods which have lost their economic base, it may simply no longer be possible to sustain a reasonable quality of life.

It may be premature to spell out how neighborhoods should be defined at this stage. Each of the above categories has advantages and disadvantages. Initially, at least, it may be enough to allow localities to use flexibility in defining their neighborhoods, provided local input is included. The important thing is to get planners, politicians, administrators, agency personnel and residents to begin identifying needy residential areas and working together to improve them--however the boundaries are defined.

J. WHERE TO START

Ideally, a neighborhood based approach would be comprehensive, beginning on several fronts at once. The problems facing our most needy neighborhoods have taken a long time to develop, and they will not go away easily. Just as comprehensive services are recommended for multiproblem families, comprehensive approaches are needed to 'turn around' the neighborhoods in which many such families live.

The actual reality may be somewhat different however. Despite the desirability of a massive, comprehensive approach, this requires a level of coordination and backing by various levels of government that rarely exists. For most people working to strengthen neighborhoods and neighborliness, the key question is not "What is ideal?" but "What can I do with what I've got?", and "Where do I start?"

In fact many model neighborhood based programs considered comprehensive today did not start out that way. Most started small and most have gradually gained the confidence of those they set out to serve, increasing their ability to serve them and to strengthen the neighborhood over time. A model that started on all fronts at once might well be slowed by natural resistance to change, even from those who would benefit most.

Where one starts depends in part on where one sits; a county executive or a community planner will have different orientations, resources and skills than an agency director or a grass roots neighborhood leader. A state governor or legislator will have still other orientations and assets. The key is for every initiator to bring to bear those resources most easily available. And as the work progresses, to gradually work to integrate one's efforts with others who have a similar goal.

Methodologically, a good place to start is simply to ask people in the neighborhood what they feel is most important to make it a better place to live and raise children. This can be done through interviews with key people, meetings with parents, door to door surveys and other means. Such a down to earth approach has several advantages--it gives those developing the effort direct contact with those they will be serving, and a clearer sense of purpose and stronger convictions are likely to result. It also provides direct personal exposure as well as first hand data--both essential for building the program and gaining support for the effort. And finally, it is likely to result in contacts with indigenous leaders who can provide support within the neighborhood as well.

The basic, simple rule is to start where the people of the neighborhood are using those resources one has or can bring to bear.

Those developing a neighborhood based effort may face a choice between starting with a direct service to individuals which can be broadened to strengthen the community, or starting from the perspective of strengthening the community and expecting this to "trickle down" to affect individuals. Head Start, home visiting programs and similar organizations use the former approach, providing tangible, concrete services in ways that strengthen the community by involving and empowering its members. Starting with a concrete service involves some risk however, as it may become too easy for both neighborhood residents and staff to see the service in a narrow context, losing sight of the broader neighborhood strengthening goal.

The opposite approach, community strengthening, may result in formation of a task force, coordinating council, or advocacy group. This can help to unify the various agencies and organizations within the community, but it also involves a risk. It may be perceived as less than helpful, and lose its support if it does not fairly quickly produce some tangible outcome.

As the approach evolves, it should involve work on both internal and external levels. It should involve self help and outside help. The outside help may come from the local, state or even the federal government. It may come from a bank or business willing to invest in some way; such investment might mean a plant or housing loan, or it might consist of a contribution of funds or in kind assets, including buildings or even personnel. Economic development is crucial to healthy neighborhoods, and outside help in training residents for employment, as well as in helping them to start their own small businesses, through training, loans and other forms of support, is of critical importance.

Outside help may also come from churches or civic organizations willing to mobilize help. For many years the American Friends Service Committee (Quakers) have mobilized weekend workcamps to allow young suburban residents to paint and make minor repairs to inner city apartments in downtown Philadelphia.

The effort should promote the realization that no city or county can be healthy unless all its neighborhoods are healthy; that if the worst neighborhoods are ignored, sooner or later the problems there will affect not only those who live there, but the larger community as well.

K. LIMITATIONS OF THE NEIGHBORHOOD BASED APPROACH

While it is unlikely that child abuse and neglect can be effectively reduced without taking into account and strengthening the neighborhood environments within which families live, it would be a mistake to view a neighborhood based approach alone as a panacea to reducing child abuse and neglect. Neighborhoods themselves and the families within them exist in a larger societal environment that can be either hostile or supportive.

Researchers are clear on the relationship between poverty and child maltreatment.[53] Federal policies which push some groups into poverty and limit their ability to escape it, contribute to child maltreatment. Garbarino goes further to point out that "low income is a better predictor of deficits in the United States than in other countries because our social policies tend to exaggerate rather than minimize the impact of family income on access to preventive and rehabilitative services."[54] In other words the effects of poverty in this country are aggravated by certain of our public policies; (e.g., our failure to provide maternal and infant health care, parental leave or basic child support subsidies as other countries do). Such policies presumably have the effect of weakening the ability of the neighborhood to perform the positive functions its residents desperately need.

Similarly, a national media which glorifies violence and sex and plays down individual responsibility, can make it very difficult to prepare teenagers for responsible parenthood, despite admirable efforts within the neighborhood. This is especially true when many children spend more time watching television than interacting with their parents.

An effective national neighborhood based strategy will not only involve strengthening neighborhoods by working at the local level; it will also involve working toward a more benign national and societal environment within which neighborhoods exist.

L. SUMMARY

The goal of a neighborhood based approach is to strengthen the quality of neighborliness among the people living in a geographic area by encouraging each to take greater responsibility for the other's welfare--essentially, neighbor helping neighbor. This can be accomplished by involving people with each other in positive, constructive ways. To the extent this approach succeeds, every parent will have a network of people concerned with his or her welfare, made up of people about whose welfare he or she is concerned as well. Some personal networks will be large, others small, but no one will be totally isolated. While isolated people may first be engaged by various agencies, the ultimate objective will be to involve them in activities and relationships that survive without the agency which began the process.

All this will be done through direct services and through improving the physical and social environment where people live. This approach involves and empowers the residents of the neighborhood. It places a high value on decentralization, closeness and personal relationships as opposed to centralization, specialization and depersonalization. It encourages development and expansion of local institutions. It requires involvement and support of traditional human services agencies in organizing and providing services at the neighborhood level, but it requires involvement of local networks, organizations and institutions--formal and informal--as well. It requires both self help and external help, from other levels of government and the private sector.

The big issue of course, is how to achieve all this. We have attempted to spell out ways to start--which may vary somewhat according to who takes the initiative. We have essentially proposed an incremental approach, which identifies and builds on strengths and accomplishments, while keeping long term goals and objectives clearly in focus.

Further Study Needed

The above is far from exhaustive. Much more has been written on neighborhood based approach issues than could be absorbed in preparation for this paper. A more comprehensive review of the literature is required.

Attention should be given to definition of neighborhoods and their boundaries. Particular attention should be given to defining the viability of neighborhoods - what is minimally required for a neighborhood to survive?

Thirdly, more attention needs to be given to the relationship between neighborhood interventions and improvements and child abuse and neglect. While Garbarino has demonstrated that child maltreatment is related to the neighborhood environment, it is not entirely clear what will be the most cost effective neighborhood improvements or interventions in terms of reducing child maltreatment. More sorting out needs to be done in terms of the proper role of agencies, and the types of services that can best be provided on a neighborhood level.

There have been, over the years, a number of success stories involving neighborhood and community intervention as a means of improving parenting, and presumably reducing child abuse and neglect. There is a need to chronicle these and to draw conclusions regarding the most effective ways to stimulate neighborhood improvement.

Finally, there is a need for information and a framework which could be used to help in establishing 'minimum environmental standards' for neighborhoods, along the lines suggested in this paper.

December 3, 1992

REFERENCES

1. Cochran, M., Larner, M., Riley, D., Gunnarsson, L., Henderson, C., (1990). Extending Families: the Social Networks of Parents and the Children. Cambridge/ New York: Cambridge University Press, p. 309. National Commission on Child Welfare. (1990). A Commitment to Change. Washington, DC: American Public Welfare Association, p. 6.

2. U.S. Advisory Board on Child Abuse and Neglect. Child Abuse and Neglect: Critical First Steps in Response to a National Emergency, (1990). Washington, DC: U.S. Government Printing Office, Stock No. 017-092-00104-5, pp. 19, 45, 95.

3. Ibid., p. 45.

4. Schorr, Lisbeth. (1988). Within Our Reach: Breaking the Cycle of Disadvantage. New York: Doubleday, p. 151.

5. National Commission on Children. (1991). Beyond Rhetoric, A New American Agenda for Children and Families. Washington, DC: U. S. Government Printing Office, pp. 70-71.

6. Kromkowski, J. (1976). Neighborhood Deterioration and Juvenile Crime, South Bend: Ind; South Bend Urban Observatory, p. 228.

7. Cochran, M. & Brassard, J. (l979). "Child Development and Personal Social Networks." Child Development, 50, pp. 601-615.

8. Cochran, M. (1987). Evaluation of the Syracuse Family Matters Program. Ithaca, NY: Cornell University, p. 13

9. Garbarino, J., Sherman, D. (1980). "High-Risk Neighborhoods and High-Risk Families: The Human Ecology of Child Maltreatment." Child Development, 51, p. 195.

10. Garbarino, J., Kostelny, K. Child Maltreatment as a Community Problem, (publication pending).

11. Ibid., p. 18.

12. Levine, M., Levine, A. (1970). A Social History of Helping Services: Clinic, Court, School and Community. New York: Appleton-Century-Crofts, p. 1.

13. Ibid, pp. 264-271

14. Sarasen, S. B., Levine, M., Goldengberg, I., Cherlin, D., Bennet, E. (1966) Psychology in Community Settings: Clinical, Educational, Vocational and Social Aspects. New York: Wiley.

15. Levine, M., Levine, A., Op. Cit., pp. 258-259.

16. Ibid., p. 8.

17. Ibid., p. 8.

18. U.S. Advisory Board on Child Abuse and Neglect. Child Abuse and Neglect, Op. Cit., pp. 12, 35, 46.

19. Schorr, Op. Cit., p. 25.

20. Ibid., p. 30.

21. Ibid., p. 151.

22. Fitchen, J. (1981). Poverty in Rural America, A Case Study, Boulder: Westview, pp. 151-168. Garbarino, J. Sherman,D., Op. Cit., pp. 188-198. Cochran, M., Larner, M., Riley, D., Gunnarsson, L., Henderson, C., Op. Cit., p. 309

23. Chavis, D., Wandersman, A. (1990). "Sense of Community in the Ubran Environment: A Catalyst for Participation and Community Development." American Journal of Community Psychology, 18. pp. 55-81.

24. Garbarino and Sherman, Op. Cit., pp. 194-195.

25. New York Times, Dec. 30, 1990.

26. Schorr, Op. Cit., p. 19.

27. Webster, N. (1980). New Collegiate Dictionary, Springfield, Mass: Merriam.

28. Chavis, D., Wandersman, A., Op. Cit., p. 61.

29. Webster, N. Op. Cit.

30. Garbarino and Sherman, Op. Cit., p. 189.

31. Schorr, Op. Cit., pp. 256-258

32. Ibid., p. 258.

33. Barry, F.,(1989). Coordinating Services for Abused Adolescents: How to Do It. Ithaca, N.Y: Family Life Development Center, Cornell University, p. 20.

34. Cohen, S., Lang, C. (I990). Application of Principles of Community Based Programs, Background Paper prepared for the Forum on Youth Violence in Minority Communities, Atlanta: Education Development Center, Inc.

35. Kaye, G. (1990). "A Community Organizer's Perspective on Citizen Participation Research and the Researcher--Practitioner Partnership. American Journal of Community Psychology. 18. p. 152.

36. Checkoway, B. (1985). "Neighborhood Planning Organizations: Perspectives and Choices." Journal of Applied Behavioral Sciences. 21, p. 471-486.

37. Schorr, Op. Cit., p. 17.

38. National Commission on Child Welfare and Family Preservation, Op. Cit., pp. 5-12.

39. Cochran, M. (1987). Evaluation of the Family Matters Program, Ithaca, N.Y: Dept. of Human Development & Family Studies, Cornell University.

40. Schorr, Op. Cit., p. 17.

41. Ibid., p. 17-18.

42. Garbarino, J., Kostelny, K., Dubrow, N. (1991). Growing Up in a War Zone. Lexington, Mass: Lexington Books, Heath, pp. 131, 143.

43. Cochran, M., Larner, M., Riley, D., Gunnarsson, L., Henderson, C., Op. Cit., pp. 309-310.

44. New York Times, March, 1992

45. Wallace, R. (1989). Homelessness, Contagious Destruction of Urban Housing and Municipal Service Cuts in New York City: Demographics of a Housing Deficit. Environment and Planning. 21 pp. 1585-1603

46. Wallace, R. (1990), "Urban Desertification, Public Health and Public Order: 'Planned Shrinkage', Violent Death, Substance Abuse and AIDS in the Bronx." Social Science Medicine. 31, pp. 801-813.

47. Duany, A., Plazter-Zyberk, E. (1992) "The Second Coming of the American Small Town." Wilson Quarterly. XVI, pp. 19-48.

48. Bronfenbrenner, U., (Fall, 1986) "A Generation in Jeopardy: America's Hidden Family Policy, Developmental Psychology Newsletter, Division of Developmental Psychology," American Psychological Association, pp. 47-54.

49. Levine, M., Levine, A. Op. Cit., pp. 101-104.

50. Schorr, L. Op. Cit., pp. 285-286.

51. Maccoby, E., Johnson, J., Church, R., (1958). "Community Integration and the Social Control of Juvenile Delinquency." Journal of Social Issues. 14, pp. 38-51.

52. Schorr, L. Op. Cit., p. 17.

53. Bronfenbrenner, op. cit., p. 50; Garbarino, J. (1990). "The Human Ecology of Early Risk," in Meisels, S., Shonkoff, J. Eds., Handbook of Early Childhood Intervention, p. 90; Pelton, L., (1978). "Child Abuse and Neglect: The Myth of Classlessness," American Journal of Orthopsychiatry, 48, pp. 608-617.

54. Garbarino, J., Meisels, S., Shonkoff, J., Op. Cit., p. 86.

* * * * * *

For further information, contact: The U.S. Advisory Board on Child Abuse and Neglect, Hubert H. Humphrey Building, Room 303D, 200 Independence Avenue, SW, Washington, D.C. 20201. Telephone: 202-690-8137.

2. Board Hearings Related to the Development of a New National Child Protection Strategy

a. Minneapolis, Minnesota

HEARING ON THE HENNEPIN COUNTY, MINNESOTA APPROACH TO CHILD PROTECTION **

May 29, 1992
Hennepin County Board of Commissioners
Minneapolis, Minnesota

Presiding: Yvonne M. Chase

The mission of the U.S. Advisory Board on Child Abuse and Neglect and the Board's purpose in holding this hearing

Howard A. Davidson
Chairperson
U.S. Advisory Board on Child Abuse and Neglect

Yvonne M. Chase
Member
U.S. Advisory Board on Child Abuse and Neglect

An overview of Hennepin County services for families

The Honorable John Derus
Chairman
Hennepin County Board of Commissioners

** The Board very much appreciates the invitation from the Hennepin County Community Services Department to conduct a hearing. In particular, the Board wishes to thank Hennepin County Community Services Department Director Michael W. Weber and the Department's staff as well as Board member Yvonne M. Chase for their assistance in arranging the hearing.

Success by Six

Success by Six is a United Way initiative, focusing on pre-natal care and early childhood development with a great deal of emphasis on school readiness. The United Way of America's 1992 Alexis de Tocqueville Society Award was presented to the Minneapolis community in recognition of this program. The National Football League has adopted the program for national publicity, and the United Way of America has located a staff person in Minneapolis for three years to help facilitate national dissemination of the model.

Terri Barreiro
Senior Director, Minneapolis United Way
(Success by Six Project Leader)

Patricia Hoven
Community Affairs Director, Honeywell, Inc.

Laurie Ryan
National United Way of America

The Minneapolis Youth Coordinating Board

The Minneapolis Youth Coordinating Board is a statutorily-established body made up of representatives of all elected bodies with responsibilities for children in Minneapolis. The Hennepin County Board of Commissioners, the City Council and Mayor of Minneapolis, the Minneapolis School Board, the Juvenile Court, the Minneapolis Park and Library Boards, and the legislative delegations are represented. The Board sponsors the Way to Grow Program, the Minneapolis implementation of the Success by Six conceptual model. Three neighborhood programs have been established, focusing on prenatal care with extensive use of home visitors. Plans are underway to establish a program in each of the 11 neighborhoods of Minneapolis. The Board has also recently received a Robert Wood Johnson grant for exploring refinancing of health programs for children.

The Honorable Don Fraser
Mayor of the City of Minneapolis

The Honorable Sharon Sayles Belton
President of the City Council
City of Minneapolis

The Honorable Mark Andrew
Chairman, Social Services Committee
Hennepin County Board of
Commissioners

Corner House

Corner House is a center for child-friendly investigations of the alleged sexual abuse of children, modeled on the Child Advocacy Center established by Robert E. "Bud" Cramer, Jr. of Alabama (elected to the U.S. House of Representatives in 1990). This is a program jointly established by the Minneapolis Police Department, the Hennepin County Attorney's Office, and Hennepin County Child Protection Services and operated in collaboration with the Minneapolis Children's Medical Center.

John Laux
Chief of Police, City of Minneapolis
(Chairman of the Board)

Kevin Kenney
Associate Administrator, Bureau of Social Services
Hennepin County

Sonia Stevens
Deputy County Attorney, Hennepin County

National reform plans

A group of experts discussed national efforts to reform the child welfare and child protection systems, and the areas of consensus among these efforts. The group also described a Hennepin County Community Services Department program, carried out in collaboration with the McKnight Foundation, to evaluate the success of early intervention services in preventing child abuse and neglect among high-risk families.

Jennifer Miller
APWA Policy Associate, Annie Casey Family Foundation

Michael O'Keefe
Executive Vice President, McKnight Foundation

Patricia Schene
Executive Director, American Association for Protecting Children

David Shaw
Director, National Association of Public Child Welfare Administrators

Parents and children

A group of parents and children who have participated in the family support programs in Hennepin County discussed those programs.

Child protection staff

A group of Hennepin County Child Protection Services staff discussed the array of community-based services which have been developed in Hennepin County and what the impact has been on the ability of CPS staff both to support families and protect children.

b. Chicago, Illinois

HEARING ON INTERNATIONAL PERSPECTIVES ON A NEW STRATEGY FOR CHILD PROTECTION IN THE UNITED STATES **

August 29, 1992
Chicago, Illinois

Presiding: Gary B. Melton

INTRODUCTION

Howard A. Davidson
Chairperson
U.S. Advisory Board on Child Abuse and Neglect

PURPOSE OF HEARING

Gary B. Melton
Vice Chairperson
U.S. Advisory Board on Child Abuse and Neglect

** Coincident with the Ninth International Congress on Child Abuse and Neglect, the Board invited several international experts to share experiences from their nations relevant to the development of a new national child protection strategy. Separate panels of these experts presented on policy, programs, and community development efforts. The Board wishes to thank Board members, Gary B. Melton, Frank D. Barry, and Richard D. Krugman for their assistance in arranging the hearing.

National and International Policies Related to Child Protection

Turid Vogt Grinde
Norwegian Center for Child Welfare Research
Norway

Peter Newell
EPOCH Worldwide
United Kingdom

Clarence Schubert
UNICEF

Community Development

Patricia A. Deane de Garrahan
Faculty of Medicine, University of Buenos Aires
Buenos Aires, Argentina

Zelided Alma de Ruiz
Institute of the Family
Santo Domingo, Dominican Republic

Eitchne Sharp
The Social Services Department in London Burrough of Lewisham
Great Britain

Child Protection Programs in Other Developed Countries

Suzette Booth
The Children's Hospital of Sydney, Camperdown, Sydney, NSW
Australia

Catherine Marneffe
Division of Medical Psychology, Pediatric Teaching Hospital
Belgium

Jacquie Roberts
Polepark Family Counselling Centre, Tayside Regional Council
Scotland

c. Columbia, Missouri

HEARING ON STATE AND LOCAL PERSPECTIVES ON A NEW STRATEGY FOR CHILD PROTECTION IN THE UNITED STATES **

September 24, 1992
Columbia, Missouri

Presiding: Richard D. Krugman, M.D.
Former Chairperson
U.S. Advisory Board on Child Abuse and Neglect

Participants

Channing Blaeuer
Judge, 14th Judicial Circuit
State of Missouri

Nanci Bobrow
Member, Missouri Chapter
National Committee for the Prevention of Child Abuse
Missouri

Colleen Coble
Director, Missouri Coalition Against Domestic Violence
Missouri

Alinda Dennis
Metropolitan Child Abuse Network
Kansas City, Missouri

** The Board very much appreciates the invitation from the Missouri Department of Social Services to conduct a hearing in conjunction with the Twelfth Missouri Conference on Child Abuse and Neglect. In particular the Board wishes to thank **Fred Simmens**, Assistant Deputy Director within the Division of Family Services, for his assistance in arranging the hearing.

Fern Hammerman
Director, Child Abuse Prevention
Jewish Family and Children's Services
St. Louis, Missouri

John Holstein
Judge, Supreme Court
State of Missouri

Coleen Kivlahan
Medical Director, Department of Social Services
State of Missouri

The Honorable Gene Lang
Member of the House of Representatives
State of Missouri

Agnes Mason
Social Worker, Division of Family Services
Scott County, Missouri

Charles McKenzie
Assistant Prosecutor
Jackson County, Missouri

Jean Neal
Executive Director, Annie Malone Children's Home
St. Louis, Missouri

Carmen Schulze
Director, Division of Family Services
Department of Social Services
State of Missouri

Patty Wolfe
Executive Director, Children's Trust Fund
State of Missouri

Comments by Members of the Audience

d. New Brunswick, New Jersey

HEARING ON STATE AND LOCAL PERSPECTIVES ON A NEW STRATEGY FOR CHILD PROTECTION IN THE UNITED STATES **

October 5, 1992
New Brunswick, New Jersey

Presiding: Frank D. Barry

Introduction

Howard A. Davidson
Chairperson
U.S. Advisory Board on Child Abuse and Neglect

Purpose of Hearing

Frank D. Barry
Member
U.S. Advisory Board on Child Abuse and Neglect

** The Board very much appreciates the invitation from the Governor's Task Force on Child Abuse and Neglect of the State of New Jersey to conduct a hearing in conjuction with the Fourth New Jersey Conference on Child Abuse and Neglect. In particular the Board wishes to thank **Donna Pincavage**, Executive Director of the Task Force, and Board member Joyce London Mohamoud for their assistance in arranging the hearing.

Participants

David Blevins
Coordinator, Youth Services Systems, Office of the Mayor
City of New Brunswick

The Honorable James Cahill
Mayor
City of New Brunswick

Kim K. Cheung
Department of Pediatrics
St. Peter's Medical Center of New Brunswick

Thomas Comerford
Case Practice Specialist, Essex County Administrative Office
Division of Youth and Family Services
State of New Jersey

Sharon Copeland
Executive Director, New Jersey Chapter of the National Committee
for the Prevention of Child Abuse

Esther Doeblinger
Clinical Director, Center for Children's Support
University of Medicine and Dentistry of New Jersey

Anthony Dorso
Psychologist, New Jersey Child Sexual Abuse Training Academy
Human Resources Development Institute

Ruth Fath
Chairperson, Children's Trust Fund of New Jersey

Martin Finkel
Co-Chairperson, Governor's Task Force on Child Abuse and Neglect
State of New Jersey

Roberta Francis
Director, Division on Women
Department of Community Services
State of New Jersey

Mimi Ganger
Administrative Assistant, Project SPAN, Division of Community Education
Middlesex County College

Glenna Gundell
Director, New Jersey Coalition for the Prevention
of Developmental Disabilities

Mary Inzana
Director
Rainbow House of Trenton

Thomas Karaban
Chairperson
Rainbow Foundation
New Jersey

Christian Kjeldson
Vice President, Human Resources
Johnson & Johnson
New Jersey

Roberta Knowlton
Director, School Based Program
Department of Human Services
State of New Jersey

Kathleen Lazor
Project Director, New Jersey Child Sexual Abuse Training Academy
Human Resources Development Institute

James Louis
Deputy Public Defender
Department of the Public Advocate
State of New Jersey

Wilbert Mitchell
Executive Director
Respond, Inc. of Camden

James Mulvihill
Assistant Attorney General, Division of Criminal Justice
Department of Law and Public Safety
State of New Jersey

The Honorable Robert Page
Judge of the Superior Court, Camden County
State of New Jersey

Karen Parchman
Children and Youth Task Force
State Public Affairs Council of the Junior Leagues of New Jersey

Jacquie Ramirez
Board Member
Parents Anonymous of New Jersey

Steven Raymond
Prosecutor, Prosecutor's Office
Burlington County

Kathleen Roe
Training Coordinator
Parents Anonymous of New Jersey

Ciro Scalera
Executive Director, Association for Children of New Jersey

Nicholas Scalera
Director, Division of Youth and Family Services
Department of Human Services
State of New Jersey

Pat Sermabeikien
Coordinator, Project C.O.P.E.
Barnert Hospital of Patterson

Pat Stanislawski
Executive Director
New Jersey Child Assault Prevention Project

Tim Touhey
Vice President, New Brunswick Tomorrow
Johnson & Johnson
New Jersey

Kathleen Williams
Multi-Disciplinary Team Coordinator, Prosecutor's Office
Burlington County

Isabel Wolock
Assistant Director of Research, Graduate School of Social Work
Rutgers University

Mary Ann Wong
Social Worker
New Jersey

Claudia Yurecko
Coordinator, Project SPAN, Division of Community Education
Middlesex County College

Brief Comments by Members of the Audience

3. Symposiums

a. Child Sexual Abuse

IMPLICATIONS OF NEW NATIONAL STRATEGY FOR PREVENTION AND TREATMENT OF SEXUAL ABUSE **
September 14, 1991
Denver, Colorado

Lucy Berliner
Sexual Assault Center
Seattle, Washington

Don Bross
C. Henry Kempe National Center
for the Prevention of Child Abuse and Neglect
Denver, Colorado

Jon Conte
School of Social Work
University of Washington
Washington

Jill Duerr-Berrick
Associate Specialist, School of Social Welfare
University of California at Berkeley
Berkeley, California

Carole Jenny
Associate Professor of Pediatrics
University of Colorado School of Medicine
Denver, Colorado

Patricia Toth
Director
National Center for Prosecution of Child Abuse

** In conjunction with the Ninth National Conference on Child Abuse and Neglect, the Board decided to hold a symposium with experts on sexual abuse concerning implications of the new national strategy for prevention and treatment of sexual abuse. The Board wishes to thank Board member Gary B. Melton for his assistance in arranging the symposium.

b. Foster Care

RELATIONSHIP OF CHILD MALTREATMENT TO FOSTER CARE **

January 8, 1992

Washington, DC

Sue Dondiego
Board Member, National Foster Parent Association
Trenton, N.J.

Charles Gershenson
Research Associate, Center for the Study of Social Policy
Washington, D.C.

Shirley E. Marcus
Deputy Director, Child Welfare League of America

Eileen Mayers Pasztor
Family Foster Care Program Director, Child Welfare League of America

Donna Petras
President, National Association of State Foster Care Managers
Chicago, Illinois

Audrey Rowe
Commissioner, Department of Income Maintenance
State of Connecticut

Patricia Ryan
Director, National Foster Care Resource Center
Eastern Michigan University

Clarice Dibble Walker
Associate Professor, School of Social Work
Howard University

** In conjunction with the Ninth Meeting of the U.S. Advisory Board on Child Abuse and Neglect, the Board decided to hold a symposium concerning the relationship of child maltreatment to foster care. The Board wishes to thank **Eileen Mayers Pasztor, Director of the Family Foster Care Program and staff of the Child Welfare League of America**, as well as Board member H. Gordon Evans for their assistance in arranging the symposium.

c. Diverse Perspectives

A NEW CHILD PROTECTION STRATEGY: CREATING AND MAINTAINING CARING AND INCLUSIVE COMMUNITIES **

September 14-15, 1992
Bethesda, Maryland

Chairs

Diane J. Willis
Joyce London Mohamoud

Participants

Dolores Subia Bigfoot
Psychology Fellow, University of Oklahoma Health Sciences Center
Oklahoma City, Oklahoma

Ernest C. Bighorn, Jr.
Executive Director, Indian Development and Educational Alliance, Inc.
Miles City, Montana

David Caban
Principal, Herman Badillo Bilingual Academy
Buffalo, New York

Frances Jemmott Dory
Executive Director, California Self-Help Center
University of California, Los Angeles
Los Angeles, California

Sharon Duncan-Jones
Assistant Director, Court Appointed Special Advocate of Baltimore
Baltimore, Maryland

** The Board appreciates the assistance of **Joyce Thomas, Director of the People of Color Leadership Institute, the staff of Prism Dae, Inc., and Board members Joyce London Mohamoud** and **Diane J. Willis** for their assistance in arranging the symposium.

Robert Felner
Professor and Director, Prevention Research and Development
Institute of Government and Public Affairs
University of Illinois-Urbana
Urbana, Illinois

Carmen L. Fernandez
Social Worker, Hispanics Against Child Abuse and Neglect
Falls Church, Virginia

Lois Gibbs
Executive Director, Citizens Clearinghouse for Hazardous Waste
Falls Church, Virginia

The Rev. Leonard Hedges-Goettl
Presbyterian Church (U.S.A.)
Malvern, Arkansas

John K. Holton
Director, National Committee for Prevention of Child Abuse
Chicago, Illinois

Pamela E. Iron
Chief of Staff, Cherokee Nation of Oklahoma
Tahlequah, Oklahoma

Ada Pecos Melton
Principal Investigator, National Indian Justice Center
Albuquerque, New Mexico

Elaine Miller
Pediatric Psychiatrist, U.S. Public Health Service-Indian Health Service
Ada, Oklahoma

Amy Okamura
Network Managers, Health and Human Resource Center
San Diego, California

Lisa Pion-Berlin
Parents Anonymous, Inc.

Cordell Richardson
Assistant to the Vice President of Operations
Cities In Schools, Inc.
Alexandria, Virginia

Robert E. Richardson
Attorney-at-Law, Robert E. Richardson Law Offices
Washington, D.C.

Dale Tarter
Director, Community Based Services,
Daniel Sexton Center
Glendale, California

Joyce Thomas
President, Cofounder
Center for Child Protection and Family Support
Washington, D.C.

Michael W. Weber
Director, Hennepin County Community Services Department
Minneapolis, Minnesota

Summary of Symposium Proceedings

WELCOME AND INTRODUCTIONS

Diane J. Willis of the Board welcomed the participants to the meeting. In September 1991, the Advisory Board stated that "the principal goal of governmental involvement in child protection should be to facilitate comprehensive community efforts to ensure the safe and healthy development of children." To that end, the Board is preparing a report that will describe a neighborhood-based, child-centered, and family-focused strategy for child protection with specific actions that can be taken by various sectors of society. Ms. Willis then asked the panelists to introduce themselves.

THE PROPOSED NEW CHILD PROTECTION STRATEGY

Frank Barry

The Board believes that the system for dealing with child abuse has failed. Although intended to be a positive helping response to families in stress, it has become so stretched that it is ineffective in many communities. It emphasizes investigation instead of helping, which has led to an emphasis on punishment instead of problem-solving. It has become the social work equivalent of the emergency room, focused on crisis response instead of crisis prevention.

The Board is developing a new strategy that emphasizes primary prevention. Once abuse or neglect has happened, it is hard to affect the pattern without expensive and intensive interventions. The adversarial nature of the present system has particularly affected minorities, who are less understood by the people making decisions, who do not understand the system as well, and who often are more affected by poverty than the mainstream culture.

The Board wants to recommend a system that emphasizes prevention and is neighborhood based and child centered. "Neighborhood-based" means considering the neighborhood as the environment in which families and children live. What qualities do families and children require? What do neighborhoods and communities need for children to have positive outcomes? What do neighborhoods need to function as a neighborhood? This approach requires thinking not just about individual family situations, but about strengthening the environment. It also means involving the neighborhood in the control and definition of services, designing a system based on respect for parents, and designing ways to encourage reciprocity.

Gary Melton

The Board believes that the prevalence of child maltreatment is related to the disconnectedness among people. Child protection needs to be part of everyday life, the idea of neighbor helping neighbor. The goal of the new system should be to facilitate community action and to design environments in which it is difficult to maltreat children.

The child-based part of the concept is based on an analysis of where the system has gone awry. The starting point of the system must be protecting children from harm as a fundamental duty of society. Because of the focus on investigation, children's own interests often get obscured.

This symposium will test the limits—how far can a neighborhood-based approach go? Is the neighborhood concept meaningful for a pluralistic society? The idea of people helping each other and a respect for the dignity of children seems to transcend culture, but the strategy may not. How does one build neighborhood responsibility and safe environments for children when outmigration has disrupted community social networks? The other purpose of the symposium is to decide how to adapt a neighborhood-based, child-centered concept to different cultural contexts.

PANEL I: DIVERSE PERSPECTIVES ON NEIGHBORHOODS AND COMMUNITIES

Dolores Subia Bigfoot

There are more than 500 tribal groups within the United States, a broad and diverse group. Indian children are the center of Indian communities. Children receive the same degree of respect as adults. They are important within the family, and they are the center of the family. They are more than just possessions; they are the transmittal of life going forward. When children feel good about themselves, then they do good things. When parents feel good about children, they tell them good things. They do not harm them.

The traditional teachings that are still very much a part of tribal groups were based upon survival skills. There is an emphasis on harmony within the environment. Generosity and sharing are valued more than personal acquisitions or material achievement. Individuals are judged by their contribution to the group, not by what they take from the group or what they acquire. Group competition is encouraged instead of individual competition. The orientation is towards the present rather than the future. Within all tribal customs there is a respect for the elders and a belief that elders have wisdom to be shared and that they have knowledge that all can benefit from. The extended family structure is very important.

The principles of proper living—kindness, devotion, willingness—are similar to traditional teachings. All of these were manifested in the ability to be strong and healthy, but also in a willingness to struggle spiritually with prayer, ceremonies, and rituals. So spirituality, in terms of these principles of proper living, is important within Indian communities. If nothing else, the spiritual nature of Indian people needs to be recognized and acknowledged because it works. Tribal legends and storytelling are important.

There are particular things that are implemented today with different groups that work with Indian people. Many people use medicines as a means of teaching, intervening, preventing, and explaining. They use the talking circle or talking stick to heal and to help people understand themselves. The teachings of Indian families have existed for generations, and they have survived all the things that have been inflicted upon them. The strengths of American Indian families are interwoven through their community network, and all of these things can be brought together to create a community that is working.

Ernest C. Bighorn

Although each tribe is considered a nation within itself, several Government entities affect Indian people on reservations. Federal entities include the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). Public school systems are there. The church also has played an important role in the lives of Indian children and families. For many years, churches (and society in general) have taken the view for many years that the Indian family is not worth keeping together. They have dismantled the family, put the children into boarding schools, acculturated them, and tried to make them like little white people. Twenty-five percent of all those kinds in out-of-home placements in Montana are Native American children. The Lutheran, Catholic, and private placement programs are still functioning in cooperation with BIA, IHS, and State tribal social agencies.

To many, "protection" means taking Indian children away. A social worker "protects" children by removing them from their families, putting them into foster homes or boarding schools, and ensuring they are raised in an alien culture. The Board must redefine the role of that social worker. There must be a new approach, new people, and a new agency. Hiring Indians as case workers changes nothing because they still represent the Department of Family Services.

The Indian extended family system must be accepted. That system can be the base for a family-centered, child-centered, neighborhood-based system. If the importance of the extended family is not recognized and incorporated, any new system will fail.

Carmen L. Fernandez

Hispanics Against Child Abuse and Neglect (HACAN) is a nonprofit organization formed in 1985 in Falls Church, Virginia. It was formed by professionals, volunteers, and laypersons in response to gaps in services and lack of culturally relevant responses by Child Protective Service (CPS) for minorities, especially Hispanics. HACAN promotes education programs directly aimed at the Hispanic public on child abuse prevention.

According to the 1990 census, 22.35 million Hispanics live in the United States. This represents a 53 percent growth in the Hispanic population this last decade. By the turn of the century, Hispanics will become the nation's largest minority group, when their numbers will probably reach 41.3 million. This population includes many different nationality groups. The majority are self-identified as Mexican-Americans, and that group constitutes 62.6 percent of the population. Other groups are from Puerto Rico, Cuba, and Central and South America. In addition to being the fastest-growing population, Hispanics are the most diverse and youngest.

In general, Hispanics share the same language and the same heritage. Almost all have been influenced by the Catholic church. Characteristics of Hispanic culture include the following:

- Sensitivity around parental authority
- Different expectations regarding male/female roles in family relationships
- Identifying with persons rather than systems
- An indirect style of communication
- Reciprocity

Family in the Hispanic culture includes members of the extended family such as uncles and grandparents. The elders are respected and incorporated into the family activities and plans. The Hispanic culture places a great value on children. Parents take pride in their children, and the children are perceived as a reflection of the family's standing in the community. There is a great emphasis on how children present themselves, including their behavior in social situations. Children's misbehavior upsets parents, not only because they are doing something wrong but because it reflects poorly on them as parents. When a family is reported to CPS, they feel betrayed by their child.

The concept of respect is important in establishing an initial contact with a Hispanic family. Traditionally, the father was the highest authority, and respect to him was unquestionable. In traditional Hispanic families, there is a hierarchical order, always with the father as head. Within the circumstances in which immigrant families try to maintain values and traditions, the sense of respect to the father is perceived as being threatened and devalued. Hispanic men are facing discrimination and unemployment. At home they are confronted with challenges to their authority at many levels. Many families find themselves isolated even within their own community.

In considering strategies to develop leadership among ethnic minority communities, all components of the system must work towards the same goals, otherwise one part of the system can undo what another is attempting to establish. Many times in the Hispanic population, social workers or counselors advise families to use the services of the juvenile court, but immigration officials arrested an illegal alien in the Arlington County courthouse a few months ago. Despite all the education, that arrest will keep people from using a valid resource.

In considering the strategies to develop indigenous leadership in ethnic communities, it is essential to identify the strengths and coping mechanisms of individuals. Well-functioning Hispanic neighborhoods are characterized by an informal self-help network that is vital in situations of adversity, sudden illness, a death in the family. Another aspect of well-functioning Hispanic communities is information-sharing. Through this communication style, people learn about jobs, apartment vacancies, and community resources. This communication style has helped to promote HACAN's parenting classes.

John K. Holton

Within African-American culture, there are five essential elements. The first is the recognition that an all-powerful, almighty Creator is responsible for the heavens and earth, but not really concerned with the day-to-day activities of people, children, families, and communities simply because that is not that important. That void is filled by ancestors who represent the spiritual world.

Elders therefore have a special status in African-American families because they are most in touch with ancestors. They are the most important people within the African-American family and community. Elders can walk in the worst inner-city neighborhoods, and armed gang members still will address them respectfully. Elders top this hierarchy of importance, and everything else within the family structure falls in place.

The egalitarian relationship between sexes within African-American culture makes it different from other ethnic groups. Black women are equal. They can call the shots within the family, and it shows in how the children are raised. If daughters wish to become athletes, astronauts, engineers, doctors, or ministers, their mothers encourage them to do so. With the chores or task-setting agenda of families, boys are expected to wash clothes, clean house, and cook.

There is a tremendous regard for music, art, and the dance. Within music and dance and art, there is a lot of room for individual expression of creativity.

African-Americans have a tremendous regard for religiosity. It is not confined to a particular denomination, because blacks tend to be religious with any religion. But there is a central appreciation for worshipping and being thankful and obedient to a higher force and a higher structure of things.

Amy Okamura

The Asian-Pacific Islander community is a growing population. According to the 1990 census, the Asian/Pacific Islander community in the United States numbered 7.3 million. It is the fastest growing minority. Asian-Americans include a complex pattern of diverse ethnicities, nationalities, languages and dialects, cultural values, and beliefs. The Asian population is youthful—the median age is 18 among Southeast Asians. The average household size is seven.

There are between 12 and 15 major Asian-Pacific Islander ethnic groups. Chinese-Americans represent almost one-fourth of all Asians in the United States. The second largest group is the Filipinos, with Vietnamese, Indians, and Koreans making up the fastest growing subgroups. The Pacific Islanders congregate in selective areas in California and the West Coast. Samoans, Hawaiians, Guamanians, Tongans, Marshall Islanders, and Micronesians originate from separate island cultures. They do not speak the same languages; and they do not necessarily get along.

Asians are beginning to disperse outside of the major cities of California, New York, and Hawaii, impacting smaller cities and communities with needs for specialized services. When Southeast Asian refugees began to arrive in 1975, the State Department placed refugees all over the country. This policy decision was based solely on economic and political needs. Since then, the refugees have moved to other areas where the weather was more hospitable, where relatives settled, and where work was available. They are still moving as conditions change.

The various ethnic groups that constitute the Asian-Pacific Islander communities have differing levels of acculturation. This must be considered in working with Asians on any level. Asians range from monolingual traditionalists to fifth-generation Americans who may not identify themselves as Asians by ethnicity. The less acculturated Asians have brought values, concepts, and practices that have worked in building communities across the country. The traditional practice of working together for mutual assistance comes from the family. It starts with each family member agreeing to pool paychecks and resources to meet family goals one at a time. The practice of mutual assistance requires mutual trust and delaying of individual needs and gratifications for the sake of the group. Cooperation and harmonious relationships are also very important.

Community leaders bring people together in small or large groups or in neighborhoods and make things happen. Whenever outsiders need access to an ethnic community, they must know who these gatekeepers are. They must be convinced to sanction any idea that would include their communities. Spiritual leaders of the communities also can wield great influence, even when they are not visible in the community. Thus, in a newcomer community, the community leaders, gatekeepers, mutual assistance organizations, and community-based organizations and religious leaders are keys to the Asian communities.

Most newcomers feel that American society is hostile to their differences in culture and lifestyle. One of the most difficult things they encounter in this country is having seen, heard, and experienced children taken from parents and families for child abuse and neglect or other reasons. This reputation of the adversarial protection system is an invisible barrier in developing child protection strategies in the neighborhood. The new system or strategy cannot come from the old system.

Programs and services have to be developed within trusted organizations and institutions such as schools, churches, and community-based organizations.

Children within families within neighborhoods made up of relatives and friends' families are the heart and soul of Asian-Pacific Islander cultures. Children are valued, loved, and cherished because they represent the hopes for the future for most parents, who sacrifice their lives, their needs, and their desires for their children.

Discussion

Mr. Melton asked what government can do or stop doing to facilitate community development in various communities. Mr. Bighorn replied that State governments should involve Indians in developing services and educate them about services that are available. Indians also need legislative changes to make Federal matching funds more accessible. Mr. Lloyd said that the Board already has recommended that the Federal Government develop standards of practice that would affect Native American child protection efforts. If child protection means child removal to Native Americans, that affects how IHS, BIA, and other groups should act. Nothing in the Board's standards recognizes neighborhoods in that particular recommendation. Significant differences may exist between neighborhoods even within a particular tribe, let alone between tribes.

The Board has called for signing and ratification of the U.N. Convention on the Rights of the Child. If that happens, some Congressional legislation will be required. Congress has a poor record of understanding neighborhoods and cultural competence. It must understand the concerns so there is no conflict between imposing a top-down system and the neighborhood-level work that really strengthens families. NCCAN is concerned that the call for the ratification of the U.N. Convention was premature without understanding that gap.

A participant remarked that the Federal Government's relationship with Indians is government-to-government within BIA. The Indian Child Welfare Act of 1978 established placement preferences for any Indian child removed from the home. The placement preferences are, first, with the immediate family, then with the extended family, and then with a tribal member. This law applies to States and other agencies that serve Indian children and that remove Indian children from their homes. Title II of the act authorizes the Secretary of the Interior to make grants to Indian tribes and Indian organizations to strengthen and stabilize Indian families. Ms. Iron suggested that States review the laws and policies that are on the books right now.

Ms. Fernandez said that governments must work to locate and hire qualified people to connect with communities at the neighborhood level. Ms. Okamura said that government must get involved in neighborhoods. A San Diego project has started an integrated services program that joins government representatives from health, mental health, social services, and child abuse services.

Ms. Mohamoud asked about the source of the overemphasis on investigation and reporting. Mr. Lloyd replied that one source was the discovery of sexual abuse, which started to show up in middle-class and upper-class families. These families were outraged that government could act with impunity in their families.

Mr. Melton said that the capabilities of Indian families were completely devalued. Outsiders did not recognize their tribal justice system, their traditional methods of dealing with lawbreakers, or their religion. Ms. Bigfoot added that the removal of Indian children has gone on for some time, so families cannot transmit the ability to take care of their children. Half of the Indian population is younger than 18. That means that the majority need care and supervision, and many young adults are not capable of taking care of themselves because of different disabilities.

Mr. Holton said that society should acknowledge the validity of different cultures. If this notion were part of government policies, RFPs would require applicants to address cultural and demographic issues. The government sets up programs based on a particular institutional model and does not allow communities to improvise. The field must make sure that there is a standard on child abuse and neglect that goes across all cultures. The use of corporal punishment in African-American families, for instance, is perceived by many within the field to be child abuse. It is perceived differently within the African-American community.

Mr. Gold asked the panel members to discuss the role of father figures within each community. Ms. Okamura answered that Asian-American fathers find life difficult. Women have an increased role in this country because they can get jobs, handle social situations, and understand the society more quickly because they have more contact with schools. More domestic violence, physical abuse, sexual abuse, alcoholism, drug abuse, and gambling addictions are being observed among Southeast Asian refugees in particular. Mental health effects include depression and abdication of the parental role.

Mr. Holton remarked that young people are becoming the providers and control factors within African-American families, particularly within inner-city neighborhoods. As head of the family, a father is considered the advocate and the protector of the family, but black men often are prevented from taking this role. People of color, particularly black men, face unrelenting oppression. It is a constant source of stress, and even within a vibrant culture it interrupts the flow of normal human development. Efforts that focus solely on the African-American male, however, are unbalanced.

Ms. Bigfoot said young Indian males have a very high suicide rate. If they survive adolescence, the rate of alcoholism also is high. As a result, Indian women are assuming traditional male roles because so few men are left to fill them.

Mr. Lloyd remarked that the loss of jobs has drastically changed the self-perspective of males. The resulting changes in mechanics within families and within neighborhoods are not restricted to minority cultures. Low income is an accurate predictor of family disintegration and social problems, including child abuse and neglect. The Board must examine the economic infrastructure, government decisions about housing, the lack of sufficient low-income housing, the change from a product economy to a service economy, and the effects of each of these on family stability.

PANEL II: NEIGHBORLINESS

David Caban

The Herman Badillo Bilingual Academy works with many institutions, universities, and colleges in the Buffalo area. Villa Maria College's Liberty Partnership program is sponsored by the State. It provides bilingual tutorial services for seventh- and eight-grade students. Liberty Partnership's summer camp provides a place for students in third, fourth, and sixth grade to develop basic skills, reading, writing, and math skills through creative activities requiring critical thinking.

Hispanics United of Buffalo helped all the agencies to develop a coordinated approach. It provides tutorial service for third- through sixth-grade students and a Summer Intervention Program, which takes a thematic approach to education, including field trips, guest speakers, and creative arts enrichment. Hispanics United also provides drug awareness and prevention services for children. The nursing program at D'Youville College teaches components of the health curriculum for awareness and prevention to the primary grades. Buffalo/Erie County Child and Family Services provides counseling and case management for families involved in the adult program at the school.

The Community/School Project has funding from the State Education Department to provide child care for working parents. The project provides child care for the parents who are in the adult program and clubs for pre-kindergarten through eighth grade at both school sites. The project also sponsors community evening activities once a month, usually programs, drama, performances, and music productions done by students, staff, and parents.

Each agency and institution that provides a service is asked to be a member of the advisory board. Together, the advisory board has come up with other projects. The individual that represents that agency is important because they are on many boards within the community and outside of the community. They actually become brokers for the school.

Robert Felner

Most people in public housing are healthy, adaptive people, but they live in dysfunctional contexts that are developmentally hazardous. Often, their behaviors are predictable because they are adaptive responses to dysfunctional contexts. For example, parents will not come to a parenting group because it is too dangerous and there is no child care.

Most new residents of public housing communities are very young mothers. The single fastest growing group in public housing is households headed by unmarried women 18 to 22 who have more than one child. For years, policies have removed healthy adult males from the community or made them go underground. These women are often at high risk for eviction. State and Federal policies punish efforts to save, develop equity, or work by taking benefits away. Current policies churn communities. People who have become competent role models are encouraged or forced to move. No jobs are available, and the entry-level job skills have changed dramatically. The schools are problematic.

A primary prevention model starts by changing the problem definition. To prevent child abuse in Illinois, substance abuse must be prevented. Preventing substance abuse involves preventing school failure and teen births. Changing these problems will take a long time. Programs must affect the children who are just being born to break this cycle, particularly the cycle of child abuse and neglect in public housing. The programs must get a child from prenatal to 22 undamaged and exposed to all the conditions that he or she needs to acquire the capacities to have full choice in society, including good education, good child care, and good health.

Prevention programs require changing risk conditions. What conditions create these risks? What makes for child protection? Issues must include changing job skills requirements, a sense of the future, and notions of adult literacy. The jobs have moved away. The role models have been moved out. Increasingly, public housing is home to a younger population of women who are victimized by the drug trade. These problems cannot be resolved by dealing with them as individuals; only systemic change has any chance of helping them.

People in public housing, whether they are African-American, Asian-American, or Native American, want the same things that everybody else does. They want dignity, a sense of the future, a safe place for their children, a safe environment, and a sense that the next generation can move forward. Those things will reduce child abuse and neglect. If people wake up in the morning without a sense of control over their own lives, they cannot be good parents.

Lois Gibbs

The Citizens Clearinghouse for Hazardous Waste develops self-help groups for neighborhoods. Most of the communities that the Clearinghouse serves are low income, rural, urban, poor, communities of color. Most have come together because of an actual or a potential environmental threat. Most of them are depressed. They have been oppressed for so long that they have no hope.

To address these problems, people need a sense of dignity, a sense of hope, and a sense of achieving their vision. The Clearinghouse tries to get people to think about why they have so many problems, then asks them to think about what they want. Communities help to think through a broad base of goals. They prioritize those goals and agree that when one goal is won, the group will start work on the next goal.

The Clearinghouse works with a community to develop three or four leaders at the same time. It helps them think through various organizational structures. It gives them direction and ways to get rid of their frustration and anger. It deliberately focuses their attention on a particular target. It helps people to be as proactive as possible, but it does not stifle them.

The people need someone who they know they can trust to come into the community. They need people to come into the community who understand their culture and their language. To help self-help groups organize, the Clearinghouse helps them see the root of their problem. More importantly, it works to restore their dignity and vision. It gives them hope of achieving that vision.

Leonard Hedges-Goettl

Neighborliness suggests something that has its historic roots in the belief systems of all peoples. From the Hispanic community, the word was "reciprocity." From the Native American community, it was the emphasis on sharing over individual gain. This country defines a belief system as a church, and it understands neighborhood faith communities to be strictly those institutions that are sitting on the corner. The spiritual communities that are resident in any neighborhood must be involved in efforts for the prevention of abuse and neglect.

The people receiving help can be useful resources themselves. Self-help groups have a great deal of power to help themselves. Different cultures have distinctive faith perspectives, but experiencing child abuse denies the faith perspective in which a person grew up. Programs can improve the environment, improve the schools, and improve housing. If a child cannot understand how to function in a world that teaches one belief system and lives another, that child cannot put the pieces together.

Faith communities are a neglected resource. Elders are part of the Native American belief system—their understanding of life and community and of how to live out community instead of just living in the same community. African-American communities are the same way. Hispanic communities come from a context in which hierarchy and structure are part of the belief system. It is ingrained in the people, and there is discontinuity when a program avoids the existing belief system.

There are programs among the faith communities that already work in each of these contexts. Members of the faith communities are intimidated by the assumption that a government agency must respond to the problem. There is a spiritual dimension to the problem that is different for every particular community because of the faith perspective of that community. Improving that neighborhood situation requires listening to and understanding the spiritual culture, understanding the spiritual dimension of people's lives, and enlisting the support of and educating the faith communities.

Cordell Richardson

Cities in Schools is a national dropout prevention organization. It operates in 68 cities, delivering services in more than 400 schools and serving approximately 38,000 young people and families. It is not an educational program but a human service delivery system. The organization's strategy is one of brokering public/private partnerships. In those 68 communities, the entry point is through the hierarchy of the community. Once invited into a community by a superintendent of schools, city manager, mayor, or someone from the private sector, it engages the community to focus on a particular issue.

Cities in Schools operates on three basic principles. Unless a personal relationship is established between a young person and a caring and loving adult, a young person will not change. No program changes anybody; a relationship changes a person. Because of the devastation that has occurred through this country and is occurring in our schools, someone must be accountable for what is going on. There are many programs in every community, but the solutions to the dropout problem lie within the community itself. The gap, however, is that there is seldom an agency to coordinate their activities.

Cities in Schools brokers the resources of a community or city into the schools. The program brings together teams of social service workers to work with young people and families at the school site. In 1985, there were very few umbrella organizations. Many people are now working on public/private partnerships and cooperative efforts. Cities in Schools now must work with organizations and agencies that already are in the community to avoid duplicating existing services.

The breakdown of community stems from the breakdown of the family. If a young person cannot feel safe at home because of abuse or neglect or feel safe in the streets, he or she at least should feel safe in the schools. Cities in Schools is working with several cities to establish safe haven schools. The organization also runs the National Center for Partnership Development with the Lehigh University Graduate School of Education to create leaders. Every month, the center brings administrators from the public and private sectors and social service workers to Lehigh University to teach them how to operate in a distressed community.

The Cities in Schools model challenges social service agencies, the business community, and the educational structure to look at what is going on and how they are preparing young people to deal with their own lives. It also challenges the entertainment community because young people look up to entertainers and athletes.

Discussion

Mr. Barry asked whether the Board should discuss economics in its next report. Mr. Felner replied that poverty is the most pervasive, consistent, and reliable risk factor, but nobody ever considers what the issues are that are the context of poverty. The world has changed. In 1950, the dropout rate was more than 50 percent, but jobs were available for high school dropouts. This is no longer the case. There is no developmental ladder for people in poverty and the people in public housing. Most of the things that will prevent the sociopathologies also would create a competent and competitive work force. Preschool programs, prenatal care, and extended day programs and child care are critical. Categorical programs for every separate outcome-based disorder prevent people from addressing root causes.

Mr. Hedges-Goettl asked how economic issues can be addressed effectively when the strategy is particularized by neighborhood. Mr. Gibbs replied that America is moving to a service-based industry. The belief system is that going to school will lead to getting a good job someday. That is not true. Economics is critical for any program, including small economic development projects for neighborhoods.

Ms. Dory commented that the Board must address economics because African-Americans feel that there is a conspiracy to keep them contained and disenfranchised through economic deprivation. Jobs translate into people being able to take better care of their children and probably into less abuse. There is a relationship between the economy and the incidence of child abuse that must be addressed in prevention.

Mr. Felner added that 40 percent of recently unemployed union members in Peoria are unemployable because of their literacy levels. They are angry, and they are very dangerous to their children. They are drinking, they are developing problems, and their level of literacy is too low to get them back into the work force. Effective programs do exist. Martin Luther King Services in Illinois has created partnerships with the private sector to commit career-ladder jobs to parents in public housing who enroll in certain jobs programs and community colleges. Businesses participate because they cannot find qualified workers, and they even will pay for afterschool programs. Neighbors cannot help neighbors in those communities. They need resources, programs, jobs, and good child care programs. Empowerment does not mean that public housing residents pick up the trash; it means that the people who are supposed to pick up the trash do it and listen to the residents. Tenants in public housing do not want to be running their public housing community, but they would like to own it, hire the management, and fire the management if it is not responsive.

A key strategy is to remove the disincentives. Resources are so fragmented that nobody can do anything. In some programs, people leave treatment programs cleaned up from drugs. They go back into their community with no child care and no job. In 3 months, they have relapsed.

Ms. Melton said that policies set by Congress and by other policymakers take away the incentives. No corporations will come to Indian reservations because they will be taxed by the State and the tribes. For many Indian communities, the government is the major source of employment, but the government funds programs at minimal levels. In Jemez Pueblo, the tribal court has operated on an average of $20,000 a year for the last 10 years—an amount that pays four people's salaries. Native Americans are trying to bring employment to the reservations, but their only options are gambling and toxic waste dumping. Although some tribes do well economically, they are capitalizing on the natural resources available to them. Tribes that do not have those resources struggle to have a government that functions on a minimal budget. Most people have to leave the reservations and commute to work.

Ms. Dory added that the gangs in Los Angeles have said that they would avoid criminal behavior if they had jobs. Some of their crime involves entrepreneurial skills, so there is some chance of quickly getting them away from crime and into more legitimate activities. Mutual support also is important. Self-help mutual support groups among African-American women have demonstrated the tremendous need for emotional support to cope with the challenges of filling multiple roles in the community. People who have difficulty getting work, staying employed, or coping with unemployment benefit from informal mutual support.

Mr. Holton said that cultural ideas should be able to flow across ethnic groups so that people can begin to adapt their cultures. Cultural confidence and pluralism are important to discuss within the child abuse and neglect field. The issue of economics is critical to the ability of parents to care for their children. If black fathers have no economic role, then they disappear from the equation. Today, black adolescents know that their days are numbered as a significant person after they reach 25. At that point they are adults, and adults have no role.

Ms. Durfee stressed the importance of dealing with communities instead of ethnic groups. Most communities have mixed populations, and one issue is how to help those groups get along with each other. She asked the group to discuss how to promote intercultural sharing at the community level and whether data should be kept. Mr. Barry added that some of the discussion had suggested that the strongest communities are ethnically homogeneous. Is mixing detrimental to a strong community?

Ms. Fernandez replied that if day care and Head Start Programs were made more available with ethnic representation at a decisionmaking level, no one would be resented and everyone would benefit. No group will be upset at seeing more day care services, day care providers, and language classes. Day care would be a source of jobs. English classes would not cost a lot of money.

Ms. Melton commented that Indians on reservations will not allow many non-Indians to move in. More non-Indians means that they will gradually lose their land. Interracial marriages dilute the traditions of the tribe and the Government defines people as Indians by blood. Mr. Caban added that mixing should be promoted, especially among children. If promoting a mini-society is important, schools have to expose children from different groups to each other and demolish stereotypes. Ms. Okamura said that there may be small pockets of ethnic-only areas; however, the community, the society, and the schools are mixed.

Mr. Holton described a recent episode of the Oprah Winfrey Show that aired shortly after the Los Angeles riot. Blacks, Asian-Americans, and Hispanics were on the show, and everybody was angry. If Oprah or her producers only had known about the Indian talking circle, in which people talk to each other to heal hurt instead of simply ventilating the pain and hurt, the show would have been different. When that show was over, nothing had happened to get people beyond where they had been before. That is an example of how understanding and using another's cultural artifact could benefit everyone. Government-sponsored programs must be more flexible in terms of what people can do and report with a given amount of money, including reporting data. There are ways to report data on child resiliency to measure the health of the community, but those indicators are not built into the system and are not respected by the system.

Mr. Melton asked whether disputed and leaderless neighborhoods that have little hope of reversing what is going on could still break the downward spiral.

Mr. Felner remarked that neighborliness must be comprehensive. Self-help programs are important, but they must be part of a comprehensive program. Policies systematically weaken some communities and remove the resident's sense of belonging. People feel that nobody will notice if they care and sacrifice for the community. Some communities have deteriorated because policies have systematically removed the strongest and the most competent people. Turning that around will require a comprehensive strategy. Nothing has changed more in the ecological context of public housing than the job context and what it takes to start up the ladder to self-sufficiency. Human service programs do not pay attention to that, and neither do the schools. Previously, schools did not have to educate 50 percent of the children because they could get good jobs and develop other skills. Now, schools have to educate everyone. Reconstructing those communities takes much more than the integration of social service systems; it will take a comprehensive strategy for ownership, investment, stabilization of communities, and mixing in a way that gets people to have a sense of neighborhood. Public housing communities are changing. These communities want everything in their community that others expect in theirs. Developmental, clinical, and social program change evidence suggests this approach.

Mr. Melton added that small towns where people have been moving out for decades often attract undesirable industries. Maltreatment rates, for example, go up when these sorts of jobs appear.

PANEL III: THE ROLE OF SELF-HELP AND VOLUNTEER ACTION

Sharon Duncan-Jones

The Court Appointed Special Advocate (CASA) program grew out of frustration of dealing with the child welfare system and the court system. It was begun in 1977 by a juvenile court judge who did not have enough information from the social workers, lawyers, and other relevant parties in his cases to decide where to place children. There was no money to hire more social workers or attorneys. Instead, the judge used an innovative approach to recruit, screen, supervise, and train community volunteers to advocate in the juvenile court for children who had been abused or neglected. Today, 520 programs across the country have 28,000 volunteers serving over 90,000 children. Fifty-four percent of CASA volunteers are people of color.

The CASA volunteer acts as the eyes and ears of the court. In many parts of the country, social services, child welfare systems, and court systems are overburdened. Judges have 10 minutes to decide where to place a child, and the enormous caseloads of social workers keep them from accurately assessing where a child should live. CASA volunteers advocate for one or two children, walking them through the court process and adding a human touch to bureaucracy. Volunteers spend time with the child, read the relevant information, and speak to parties in the case. They volunteer 16 to 20 hours a month to work with one child. They present direct testimony to the court based on the best interests of the children, and they submit written court reports.

CASA-Baltimore's volunteers come from the community, and they are not traditional volunteers. CASA-Baltimore recruits become more aware of what to do about child abuse and neglect. They are probably more familiar with the problems, because they occur within their own community. Many volunteers take the advocacy further by contacting their councilperson, testifying before the General Assembly.

Nationally, CASA is diverse because communities are diverse. Encouraging community volunteers to be a part of the formal system is a good strategy because it adds a human touch to a bureaucracy that can be chaotic. People within the community have really lost faith in the justice system. They do not trust the justice system, and they feel that it has failed them. CASA exemplifies a volunteer program that can assist with this crisis. "Professionals" do not have all the answers to the problems confronting communities—the solution must include community volunteers.

Lisa Pion-Berlin

This field does not do a good job at prevention, which should be the framework for the child protection system. It also is confused. It claims to be family-focused, but it also claims to be child-centered. The phrase "child-centered" frightens the parents who need help because they think the system is just looking at the child. The field must examine and define its terms. What is "community-based?" Does that mean that a program is down the street? Does it mean that it is a program? Is it a philosophy? Is it an approach?

People do not develop behaviors overnight, nor can they change them tomorrow. They cannot go through a 3-week class and change the way they take care of their children. The CPS system presumes that protecting families helps them, but that approach puts incredible burdens on the system. New approaches are needed. Many effective programs are ignored. Research avoids looking at the characteristics of successful families. Nobody studies how different cultures nurture their children or help them grow.

Parents Anonymous is the only national child abuse program in the United States. It is a modified self-help program. It was started by a traditional therapist and a parent who said, "I abuse my children, I need help, and traditional therapy isn't working." It always has been a partnership between the formal system and the informal helping system, and it trains professionals in the group's philosophy. The program takes a group approach to working with people who have abused their children or fear abusing them. Parents Anonymous is a national organization made up of State organizations, many of which operate hotlines. Through that mechanism and through an informal referral network, people come to Parents Anonymous. Every week, about 13,000 parents attend Parents Anonymous groups, and many of these groups also have children's groups. Parents Anonymous operates prison programs, Spanish-speaking programs, and programs for Native American families and reservations. Parents Anonymous also has programs for parents who were sexually molested as children.

Parents Anonymous believes that people have the ability to heal themselves. The group model is a powerful way for people to address the issues that come in. Each identifies important issues and brings them up on a weekly basis. Parents Anonymous also sets up a system of support and caring in which people learn to help each other and empower themselves. People tend to see parents in very extreme ways, and they do not identify with their problems. This country will not be able to prevent child abuse until it treats parents like people with everyday problems.

Dale Tarter

Community Psychiatric Clinics in Laguna Hills, California, sponsors the Daniel Sexton Center (DSC). DSC operates under the belief that someone who grew up in a dysfunctional family has survived an experience that has lifelong effects. The dysfunctional family system provides a backdrop for a child's growth that is marred by parental alcoholism; drug abuse; sexual, physical, and emotional abuse; neglect; ritualistic acts; and domestic violence. Its toll on the adult survivor can be deeply rooted and overwhelming. Survivors are those individuals who have experienced some form of physical, sexual, emotional, or spiritual violation against them as children. Abuse survivors come from both sexes and all economic and social backgrounds, races, religions, nationalities, and sexual orientations.

Adult children of alcoholics often do not describe their backgrounds and upbringing as abusive. Their experiences may not have involved physical or sexual abuse, but they almost certainly involved emotional abuse or neglect. Because of the nature of the alcoholic and drug-addicted family, children become secondary to the addiction. Their role becomes one of accommodating the addiction and the needs of the alcoholic and the addict. When those children are neglected or abused, they turn it inside and think that something inherently wrong with them caused the abuse. Recovering alcoholics and addicts typically feel a sense of incompleteness because childhood abuse memories that have not been addressed often lie underneath the addictive behaviors.

Statistics estimate that one in three girls and one in five to seven boys will be sexually abused before they are 18 years old. Adults who were abused as children need to feel that healing is important and that people care about their experiences. They struggle with feelings about trust, intimacy, addictions, guilt, personality disorder, and gender confusion, among others. Many feel a tremendous grief over lost childhoods, compounded by society's unwillingness to respond to their needs.

To overcome this epidemic of child abuse, the needs and concerns of the millions of adults suffering in silence must be addressed. Many of society's greatest problems tie back directly to child abuse. Children can be told that they have rights and that they should tell somebody if they are abused. Children cannot change this country right now, but adults can. Child abuse is a vicious cycle repeating the violence from one generation to the next. Being a parent is one of the only careers requiring no certification or job training. Training happens on the job, and when people grow up in abusive homes, they are at great risk for abusing others.

The professional/self-help partnership creates a format for healing with guidance from clinicians and trained lay facilitators. The purpose of developing such a program is to create a meaningful alliance between the professional and the self-help communities. This model allows survivors to get healing for a minimal cost. The self-help community has a proven track record, and, with the assistance of a trained clinical community, more survivors have alternative avenues for help. Self-help brings several important things to a professional/self-help partnership. At the top of that list is immediate access to help and low-cost support through people's own contributions. It also lets people meet—many for the first time—others who have experienced similar abuse.

The 12-step approach that the partnerships use is very effective. It provides a beginning structure for participants to reexamine their lives, look at their lives anew, accept that they are loving people, and forgive themselves. The program also has a community round table forum that brings together professionals specializing in adult survivors of childhood abuse to ask what the survivors want. DSC also acts as a media contact and distributes *Healing the Wounds of Childhood*, a booklet sponsored by the Independent Order of Foresters.

Discussion

Mr. Gold asked if CASA workers are well-equipped to handle cases in which the best interests of the child are not obvious, especially when the child's perception of his or her best interests differs from that of the system.

Ms. Duncan-Jones replied that the CASA advocate and attorney have different roles. The attorney represents the child's wishes. If the child wants to go home, then that is what the attorney must say. The CASA volunteer will advocate for what he or she believes to be in the best interests of the child. Mr. Richards added that the effectiveness of CASA workers depends on the facts of the case, particularly on the age of this child. At age 14 in many states, children can speak their own minds and advocate their own interests, and the CASA volunteer becomes irrelevant at that point. If the child is younger, the attorney assigned to the child must speak for the client. The District of Columbia appoints a guardian *ad litem* (who must be an attorney) once a child gets to the court system. When the guardian *ad litem* and the child disagree over the child's best interest, the court may appoint another person. Sometimes the court appoints an attorney and makes it very clear that the guardian *ad litem* speaks as a surrogate and that the counsel articulates the client's position. The CASA program in the District of Columbia is new. There was a great deal of tension about the CASA volunteers because the concept was foreign to many. The court system does not need any more reports; however, the program's humanistic approach has some value.

Mr. Barry commented there will never be enough CASAs to represent the best interests of all children. Representing a child's best interests can be difficult in any case because nobody knows what will happen to a child in foster care. Ms. Dory added that it is beneficial to have an objective person read the case record. Often, the Legal Aid attorneys do not read the full case. The commission's lawyers object to almost everything that was presented, but they do not read the case. Nobody has talked to the child, visited the foster care setting, or visited the natural parents. Volunteers can be trained to do these things.

Ms. Mohamoud said that there is an underlying assumption that the people involved in volunteer and self-help programs compete with "traditional" services. Ms. Duncan-Jones replied that responsibility for responding to these issues is shared by the entire community. Each profession that deals with child protection is responsible, including CASA volunteers, therapists, social workers, and detectives. Ms. Mohamoud agreed, but asked where resources should go. Self-help and voluntary programs will not revamp the system without additional resources in other areas.

Ms. Pion-Berlin asked whether "shared responsibility" is just a feeling that the problem of child abuse touches everyone or a call to action. Assuming that people know what they need to some degree and that prevention is important, ways to look at the natural helpers and set up means for people to ask for help themselves must be developed. Parents Anonymous has 1,200 groups in this country because they were community-based and because they are integrated into the fabric of communities through advisory groups or through professionals who cross agency barriers to cause change.

Ms. Durfee said that the Child Witness Judicial Advisory Committee for the State of California studied every aspect of the child protection system and developed recommendations on how the courts could better serve children and CPS. The committees decided that every child needs an advocate. The Los Angeles CASA program meets all kinds of special needs for children, but it needs more resources to go from serving 2 percent of the children in Los Angeles County to serving 100 percent. Is anybody helping the remaining 98 percent? Once a child is in the system, how can this massive system be coordinated to help the child?

A participant commented that the discussion raised a couple of issues. The Child Abuse Prevention and Treatment Act (CAPTA) was passed 18 years ago, and it said that every abused or neglected child who is a subject of a court proceeding should have a guardian *ad litem*. Almost every State collects CAPTA funds, but 26 States did not provide a guardian *ad litem* for every child 2 years ago (according to a federal study). CASA recently developed roles and responsibilities for a guardian *ad litem*. The social worker is there to provide services to the family and to the child. Attorneys who are appointed to represent children sometimes are not sure whether their job is to represent the child's interests or the child's wishes. CASA volunteers know that their job is to represent what they perceive to be the best interest of the child. For judges to make well-informed decisions about what is best for children, they have to have thorough, well-researched, documented, factual, objective information. Providing that information is a key role for a CASA volunteer. The State of Delaware can hire one staff person for $30,000. That staff person can recruit, train, and supervise 40 CASA volunteers, who then can represent 100 children. That is an efficient use of resources. The roles are clear, and the child benefits because the court gets well-researched information.

Mr. Melton suggested having a CASA and an attorney who represents the child's interest. Research shows that CASAs are better than attorneys alone, but attorneys and CASAs are better than CASAs alone. He also commented that there are two accountability functions. One is holding the system accountable. The other is holding parents accountable. Part of the neighbor-helping-neighbor idea is not just helping in the sense of giving aid, but challenging people when their behavior is unacceptable. What kind of mechanisms exist within existing legal systems or within some sort of alternate that would fit different cultural communities?

Mr. Melton discussed systems of conflict resolution used in Pueblo communities. For most, the first forum for conflict resolution, dispute resolution, or offender/victim mediation is at the family forum. This is a safe place for both parties to come, and four principles are followed:

- Both parties, the offended and the accused, tell what happened. A facilitator—an elder in that family or a traditional tribal official—guides the discussion to extract all the information.
- After they have talked it all out, the facilitator tries to get the accused to apologize for his or her actions. The facilitator also scrutinizes the actions of the accusing party, who also may have to apologize.
- Once the accused has apologized, the offended person has to accept that apology. They have to let go of whatever made them angry, and they do that by saying how the offender's actions affected them. It forces the person who did wrong to hear what they did.
- Once that is over, both sides must forgive each other. The main duty or responsibility of the facilitating person is to restore that relationship, because keeping that community intact requires that they resolve their disagreements.

Child sexual abuse is handled differently. Formerly, sex abusers were banished. The Pueblo do not banish people now because it is against the Indian Civil Rights Act. Instead, the problem is dealt with through the Federal or tribal court systems.

Mr. Melton also mentioned that dispute resolution can go from a family forum to various levels of facilitation. Because there can be much fragmented information, a mediated system may be more effective. In the court, there are competing roles. Someone represents the best interests of the child. Attorneys represent the parents. Someone else is prosecuting the parent for criminal offenses. Yet the family is going to continue to need assistance. How can a judge make a comprehensive decision for that child? Disposition of a criminal case must have its own place in terms of the children or decisions that might affect them, but this contrasts with the system's need to prosecute and penalize. People are going to hurt children, but they cannot be locked away without treatment.

In 1934, the Indian Reorganization Act required tribes to have an American judicial system. Many tried and failed. Programs and governments are reluctant to serve Native Americans. Tribes get little State funding because many States require them to waive their sovereign immunity to receive State funds, which is discriminatory. Programs like Parents Anonymous cannot work because many Indian communities are very small and nobody could be anonymous.

Mr. Melton asked whether there is an informal mechanism to deal with certain problems. Ms. Okamura replied that her program has experience with early identification of families who are having problems, mostly children referred from schools to a community agency. The workers move in, connect with the families, make home visits, and get the family involved in counseling and group classes. The agency tells the family that a reportable offense has happened. A report is made, but the assignment to deliver the services is given to the agency so the family has no contact with the adversarial system. No court services are involved unless a severe problem recurs. This approach has reduced recidivism, increased parenting skills, and prevented abuse of other children in the family.

Mr. Melton said that many people are disturbed by the disproportionate number of African-American children in foster care and what happens to them once they get in there. Can the community be mobilized to prevent cases from getting into the system to ensure responsivity once they are there?

Ms. Iron described a Tulsa project in which a mother can bring a child to a facility to spend the afternoon or to stay a couple of nights. Not only is there a physical facility, but volunteers care for these children so they do not go into foster care. The project directors applied to several agencies and foundations for funding, but were rejected because the funders believed that foster care existed to resolve these problems. Foster care is not for a parent who needs someone to take care of a child temporarily.

PANEL IV: THE SPECIAL NATURE OF CHILD PROTECTION IN INDIAN COUNTRY

Pamela E. Iron

Legal history is very important to the Cherokee Tribe and to all Indians. The Indian Self-Determination Act and the Indian Health Care Improvement Act are two of the pieces of modern legislation came from the *Kennedy Report* to provide a real foundation for Indian people to work with. The Indian Self-Determination Act allows tribes to make their own plans and determine their own fates.

Indian culture can only be understood by acknowledging that there are vast differences among the more than 500 distinct groups. Tribe, rancheria, pueblo, colony, and Alaskan village are all synonymous, however different they are in structure. All have the same government-to-government relationship with the United States Government that is defined by the United States Constitution. The Indian tribes are the only race or ethnic group mentioned in the Constitution. Tribal sovereignty is a state of being, an inherent right of the indigenous peoples of the United States.

Every tribe discusses tribal sovereignty because of the Gaming Act and because each tribe can choose whether to enter into compacts with the States. Some believe that entering into compacts with the States lessens tribal sovereignty. Others have exercised their right to enter into compacts, feeling that they have to enter into compacts with the States to work together.

Before European contact, the structure of Indian living groups was different. Males and females were considered partners; each sex had its place in society. In the Cherokee society, the women elected the men who sat on council in each tribal town. No machoism existed. A woman walked three paces behind a man for protection only. The Anglo society thought subservience among Indian women was a common trait, but this was untrue.

Statistics show that urban Indians are younger than reservation Indians. The median age is approximately 32. The dropout rates of Indians is twice that of the dominant society, and depression and suicide attempts were three times higher than rates for whites. A study at a Cherokee Nation school showed that one out of seven youths had experienced a violent act such as a shooting or domestic violence in the family. The unemployment rates on some reservations are as high as 70 percent.

Although the Indian Child Welfare Act (ICWA) was a giant step toward protecting Indian children, it applied only after abuse was reported. It did not cover BIA institutions or institutions on Federal land. ICWA also mandates that tribes contracting to run boarding schools have an employment screening process that screens for at-risk employees. The Kempe Center estimated that 1.5 percent of employees in organizations serving children are at risk. The Cherokee Nation has implemented employment screening for all the employee positions that come in contact with children and youths, including residential advisors, marshals, Head Start staff, day care workers, and shelter staff. The tribal courts for child protection need strengthening, and a tribal courts act is now before Congress. The Cherokee Nation knows that its court systems are lacking, but no money is available to fix them. The court system has been active for only 6 months, and the Cherokee Nation is still debating the design.

The Oklahoma Indian Child Welfare Association lobbied for the Oklahoma Indian Child Welfare Act, which strengthened and reinforced the Federal ICWA. State forms now ask questions about Indian child welfare, which leads to better Statewide communication. Each worker in the State system receives a core curriculum that includes Indian child welfare training and other laws. Fifteen years ago, no Indian professionals worked for the tribe. Today, 89 percent of the professionals employed by the Cherokee are Indians, and most of the non-Indian positions are in medical fields.

Board policies need to recognize the ceremonial groups, clans, and circles of significant individuals that are recognized within the Indian tribal community as family groups. Natural helpers such as elders, spiritual leaders, medicine men, and the chief are vital to the Cherokee community.

Maslow's hierarchy of self-actualization states that people must have shelter, clothing, food, and other essentials before they can begin to consider other needs. People who are constantly focusing on their own needs cannot think about helping others participate in volunteering. The Government has spent millions of dollars on prevention and awareness advertising campaigns and literature. If Maslow's theory is true, the Government has wasted that money because the target group has not reached the level at which it could use the information.

Ada Pecos Melton

Most, if not all, tribal groups are in a state of epidemiological and demographic transition and must deal with inherent costs and benefits. This is reflected, in part, by the changing types of health problems and the causes of morbidity and mortality, which now closely mirror those of other Americans. Low-density tribal communities are expanding and becoming increasingly affected by white society. This is accompanied by shifts in economics, the availability and control of resources, the value of people within the society, the structure of families, and patterns of parenting. Cross-cultural studies have shown that societies in transition are especially susceptible to problems such as child abuse.

An understanding of American Indian/Alaskan Native culture and how it is changing to meet the demands of the dominant society will provide an important understanding of how best to deal with some of these problems. The cultural context will determine what constitutes abuse; define situations that cause, excuse, or mitigate abuse; and determine the types of appropriate intervention that can be applied. The assessment should consider the resources that exist within any community.

The family structure has changed. Removal policies have affected the extended family. The economic base also has changed. Subsistence economies have given way to a wage economy, which has implications for new technology, knowledge, skills, and abilities as well as new aspirations. Parenting patterns have changed. There are many single parents, mostly single mothers, meaning that there are a lot of displaced fathers, displaced males, and displaced disciplinarians. The existence of extended family networks may ameliorate the incidence of abuse. In situations where the extended family is not intact, however, tribes have to develop or rely upon existing legal or social systems to protect their children, which may not always have the desired result.

Case-specific information was gathered for 2,035 reported cases of Indian child abuse and neglect. The analysis of this data has provided a national profile of Indian child maltreatment and how it compares to general population statistics. This information has important implications for Indian-specific prevention and intervention efforts. The data represents 17 States and 10 of the 12 regional IHS service areas.

As with trends for the general population, neglect cases outnumber physical and sexual abuse. Although abuse occurs in boarding schools, almost 80 percent of abuse occurs at home. A disproportionate number of victims were under age 5, with a substantial number under age 1. While boys and girls are almost equally likely to be victims of physical abuse and neglect, 80 percent of sexual abuse victims are girls. Victims' parents were 75 percent of the offenders, including mothers, fathers, social fathers, and both parents together.

The diversity of culture and language makes it difficult for systematic studies to be conducted for Indians living on reservations and urban Indians. Tribes practice different combinations of custom and tradition. Some rely on traditional justice systems, family gatherings, or mediation by tribal officials, while others rely on formal systems, such as social services, police, courts, and corrections. Tribes have vastly different intergovernmental relationships with Federal, State, and local governments that affect jurisdiction over child maltreatment issues and child protection. The ICWA is absent from most State codes.

ICWA should be incorporated throughout to define the transfer situation. Each section also should include CHINS, because many times a child in need of supervision has input. Dispositions and treatment plans should include access to cultural practices and traditional treatment whenever possible. States should work with tribes to develop joint powers agreements and encourage all State resources to use them. Many tribes have trouble accessing resources that are provided by the state because of legal barriers. All State judges, attorneys, employees of the judicial system or social services system should be trained in ICWA. States and tribes need to resolve issues regarding recognition of tribal court orders.

Access to resources is a big problem. Included under this topic are issues such as cultural competence and training of non-Indian administrators, policy makers, practitioners, service providers, and anyone else who works with or for American Indians or Alaskan Natives. Programs need to be culturally sensitive and appropriate. Programs should recruit and retain local people who can speak the language, including professionals and paraprofessionals, and they should encourage the use of traditional practices. People in those systems should aggressively conduct outreach because people in rural areas and people who do not trust them will not use services, even though they know they are there. They need to be specific to the community that they are going into. Services also should include offenders.

The National Indian Justice Center is studying Hawaii's Healthy Start Program. The main goals of it are to provide adequate and continuous prenatal care, to provide primary health care and health promotion to develop parental competency, to provide quality health care, and to follow the home visitors model. It has a parental risk assessment and an early identification component. It is a home-based intervention service. It provides linkages between medical care and human services, a referral and coordination with community resources, continuous followup, and evaluation.

Elaine Miller

Although the Chickasaw Nation is the main group in Ada, Oklahoma, people from many tribes use the clinic. The population is also rural, so it faces problems similar to those of the non-Indian rural population.

Biologically, Native Americans face problems in several areas, including diabetes, obesity, and alcohol. Alcohol-related problems kill parents at a young age and cause the children to have nutrition problems because alcoholic parents cannot provide the best nutrition for the child. Fetal alcohol effects often appear, but they are difficult to diagnose without knowing the family history. The population has poor psychological coping skills. Many of the traditions that once helped Indians to cope have been taken away, and they frequently turn to alcohol to replace these mechanisms.

Cultural values produce a conflict between the individual's needs and the group. Many tribes will reject a member who succeeds in the white culture. As a result, children grow up with mixed values, and their struggle for identity intensifies as they reach adolescence. Many of the problems lie in the social area. Families are broken, traditional values are in question, and the help that is provided is fragmented. The average family income is $16,000 a year. This affects access to health care, the ability to provide transportation, and the ability to provide jobs. Many parents are illiterate.

Policies are needed that will create independence and reward healthy behavior. If someone gets a job, subsidize them and pay them for getting the job rather than paying them for not working. The legal system needs to be clearer on the roles and functions of the Child Protection Team and who should be on the Child Protection Team. Parents need to be included on the Child Protection Team.

Discussion

Ms. Willis asked the panelists to discuss ways to strengthen Indian communities. Ms. Melton suggested recognizing and permitting tribal practices. States should be encouraged to recognize tribal court orders.

Ms. Willis asked the panelists to suggest government and community efforts to increase the level of education, decrease the alcoholism rate, and increase the economic level of community residents. Ms. Iron suggested that the Board support the community partnership grants sponsored by the Office for Substance Abuse Prevention. The Cherokee tribe has a community partnership grant to build coalitions and examine community resources. This community partnership is part of the tribal council, and people define what they want for their communities.

Mr. Gold asked about the problems of Native Americans who do not live on reservations. Mr. Weber answered that one major issue is education. Indian children who attend a predominantly white school system have higher rates of nonattendance, nonperformance, and nonsuccess. Are Indian children not learning, or are the schools not teaching appropriately? Alcoholism and other health issues are major. Mobility between the city and the reservation causes discontinuity in health care and in education. In many cases, families temporarily break up when one member of the family returns to the reservation.

Mr. Gold asked Mr. Weber if certain problems affect every population. Mr. Weber replied that the problem lies in determining which cultural and geographic differences are appropriate and which are not. From his vantage point, however, the only major differences are some illegal cultural practices of some ethnic minority communities, primarily within white Southeastern American communities that have some illegal discipline and marriage practices. Those are the only ones that are clearly distinguishable under Minnesota law.

Mr. Barry asked how to help people preserve and share their sense of richness. Is this related to preventing child abuse? Ms. Melton described the Santa Fe Indian School, a BIA school in New Mexico. The Pueblo Indians in New Mexico are organized under the All-Indian Pueblo Council, which is a group of the 19 Pueblos. They contract under P.L.-638 to run this school. After trying several other approaches, the school decided to examine traditional teaching methods. It now uses a multidisciplinary approach that includes the academics section, the guidance and counseling section, social programs such as substance abuse counseling, and individual and group counseling. Each child has a team made up of all the teachers and guidance counselors. They share information about how the child is learning, growing, and adapting in the school. This multidisciplinary approach gives the teachers a chance know the child better and to tailor their teaching to the child. The teachers are Indian and non-Indian people. The computer science department uses MacIntoshes that speak Jemez and Laguna, which demystifies something that scares a lot of people.

Mr. Felner added that the capacity to build on their strengths has been destroyed in many communities. The basic things that most communities have to support and strengthen families are not there. Belonging to a soccer team, for example, keeps children away from alcohol and other harmful activities. Things that strengthen communities by promoting literacy, recreation, and other basics that are part of the "normal middle-class community" are not in most rural communities. There are no resources, and the youth have nothing else to do. The Board ought to consider those non-heroic, but very important strategies before going to the expense of fancier approaches. Nobody ever stamped out an epidemic by going to people who already had it. Treatment is necessary, but stamping out an epidemic requires an attack on the root causes.

Mr. Hedges-Goettl said that change has to happen in the schools to preserve it for the next generation. Sharing can take place using the respected resources of cultures such as the elders and the people who make up the faith community. These people are the natural repository of their culture's strength. A faith community is the group that shares and preserves the root belief system for that neighborhood or community. It is not specifically institutionalized religion, although it certainly can include an institutionalized religion. The leaders of the faith community understand the reasoning and symbolism behind the actions of the community.

Ms. Willis remarked that the culture certainly should continue. As an example of a useful cultural approach, she described the Kiowa tribe's system of honoring children. At 5 and 6 years of age, these children are eager to learn. Then they start school, and the discrimination causes that enthusiasm to wane rapidly.

Ms. Durfee asked what constitutes an American Indian legally and socially. Ms. Iron replied that American Indians are the only race that has to carry a card. The tribes are the legal entity that says who their members are. Pueblo tribe members must be a member in good standing, meaning that they pay dues or provide service to the community. In Oklahoma, the Cherokee use the Dawes Commission rolls to determine whether people are descended from Indians. Ms. Bigfoot added that other Oklahoma tribes use allotments. Anyone who got an allotment from 1892 through 1898 was eligible to enroll in the tribe. Other tribes base it upon being on the reservation and being identified as Indian. Some tribes—the Cherokees, the Choctaws, and the Chickasaws—had slaves. The black slaves who came with them were recognized as free men, so many of the slaves are eligible for Cherokee, Chickasaw, or Choctaw enrollment. Enrollment is critical. On the Wind River Reservation, for example, only men can enroll their children. If a woman does not marry a tribe member, she cannot enroll her children. In other places, those living on tribal land are still eligible to enroll their children. If they move away, they are not eligible anymore.

Ms. Durfee tried to summarize the discussion by saying that each tribe determines eligibility for resources or funding. Ms. Melton responded that Federal agencies will open that definition a lot more. To claim status as Jemez, a person must be one-quarter Jemez or more. If an Indian marries someone from another tribe, they must decide in which tribe to enroll their children. Ms. Iron added that enrollment is a serious issue in the child welfare system. A non-Indian mother may enroll her Indian children for health benefits. When a child welfare issue comes up, they do not realize that they are under the jurisdiction of the tribe. When that is reported, the tribe can decide to exercise jurisdiction. Ms. Melton added that children in the foster care system who have been separated from the tribe and the family also are affected. If they are not enrolled children, but they are eligible, the tribes still have jurisdiction. If the parents have not enrolled their children but it is known that the child is an Indian child, eligibility can be determined in tribal court.

Ms. Okamura said that Asians come from different ethnic groups. For political reasons, Asian-Americans have banded with Pacific Islanders to gain recognition for Government funding. In certain places, Filipinos do not identify themselves as Asians because of their larger numbers.

Mr. Caban said that Hispanics identify with language. Ms. Fernandez agreed that common language is a tremendous bond.

Mr. Holton said that the Board is advocating that the United States sign the U.N. Convention on the Rights of the Child, which holds that children should be raised with an understanding of their indigenous culture and heritage. This is important. Children whose parents are from different races have special needs in terms of their identity formation that the child welfare practice neglects. If a child is a result of a union of two different cultures, the child should understand both cultures to be healthy. But children are forced to choose how they want to be characterized. It is unfair to a large number of children who grow up forsaking one aspect of who they are.

Ms. Thomas added that it is appropriate to attempt to identify how people prefer to identify themselves, while recognizing some of the broader categories that everyone relates to. Ms. Dory said there are subcultures within the African-American communities. Caribbean culture is very different from southern black culture. These differences can create intergroup conflict. But the strongest possible connection to the cultural origin is a buffer for a child. The practice and the residual negative effects of slavery are still felt today. Violence often is attributed to the extraordinary violence visited upon the great-grandparents of today's African-American families. So to see violence in this generation and not to understand one of its sources is foolish. Nobody is unclear about why the Rockefellers have money. It has survived for five generations and will be around forever, and the same thing is true of the effects of slavery.

Mr. Caban said that the tendency is to place on education any of the additional programs that come to mind. The solution always seems to be that education or educators can do it. Parents respond positively to the schools, and they trust the schools. The schools should become a partner with the community and let the community itself take the lead in attempts to promote language and culture.

PANEL V: SYSTEMIZING THE NEIGHBOR-HELPING-NEIGHBOR PRINCIPLE

Fran Jemmott Dory

Ms. Dory praised the Board for recognizing the importance of informal helping networks. What is the appropriate role of informal help in child abuse and neglect? What are the legal responsibilities of a society to protect its children? Is there a way to use the informal helping network, although it has no legal mandate or responsibility to provide services?

Activities in self-help mutual support groups must be recognized and dealt with at the Federal level. The Federal Government must know and understand more about the nature and complexity of self-help mutual support group activities. It must increase support for data gathering, research, dissemination of findings, and perhaps a national information referral service so people can have more access to the system. There must be efforts to encourage the development of more self-help mutual support groups among people of color. Literature on self-help mutual support must recognize that this process is as old as humankind. States need incentives to develop local and statewide resources to help people connect at that level. An interagency advisory commission should study the role of self-help mutual support groups. Because self-help mutual support groups have changed the delivery of mental health services in this country, the Federal Government should know more about them and have an organized way for people to access them.

A self-help mutual support group comes together for people to exchange emotional support and practical assistance because they share a common concern. The groups are self-governed and self-perpetuating, and the people who participate in the group own the group. The groups are characterized by their informality. Their most important characteristic is the helper-therapy principle—that people who come to these groups both get and give help. Group meetings are held in homes, houses of worship, hospitals, community centers, and senior centers. Self-help groups are beginning on reservations.

In the late 1970s, Mort Lieberman estimated that 5.7 percent of Americans participate in self-help mutual support groups; about 5 percent seek formal therapy of any kind. Courts will refer people to self-help mutual support groups such as Alcoholics Anonymous. No other treatment system is as prevalent. The National Institute on Drug Abuse reports that there were 780,000 recovering drug addicts in this country on the last day of 1987. There is no system to support them, and there are no aftercare programs.

The California Self-Help Center is one of 60 self-help centers that operate in this country at the local, State, or national levels. The Center referred about 20,000 people to the mutual support groups last year. Centers are funded haphazardly through United Way, State, or Federal funding.

Robert E. Richardson

The Federal Government should implement a procedure through which every new mother in the United States receives a set of instructions on parenting responsibility and birth. This instruction should start at birth and continue up to the age of 5 through volunteer groups and funding to other sources.

The neglect and abuse cycle resembles a circle. The first quarter of the circle is the prevention quarter. Efforts are made in this first cycle to prevent child abuse and neglect. Approaches include educational materials, media programs, parent support groups in hospitals, and extension programs in county education institutions. The District of Columbia has programs to convince pregnant women to get prenatal services. More Federal money needs to go into the first quarter.

Lawyers only get involved when an incident comes up—the second quarter. To get Federal funding, States are required by law to make reasonable efforts to prevent taking the child from the home. This requirement is widely ignored. Attorneys should know about the reasonable efforts requirement and challenge it whenever a child is to be committed. If the reasonable efforts requirements are repeatedly challenged, then States and counties will make more reasonable efforts. As they start making more reasonable efforts, more families will stay together.

In the third quarter of the circle, some adjudication already has taken place. Treatment, follow-through, and analysis after adjudication are the main issues. The self-help groups become very important because referrals are made in this quarter. Adjudication is used to get the family back together.

The last quarter is post-adjudication. The odds of reuniting the family diminish the longer children are out of the home. The issue is to get them back as quickly as possible while ensuring that people follow appropriate State or county laws.

Joyce Thomas

Is a neighborhood-based approach applicable to all of the various elements of the child protection service system? It can be. Community persons need to understand the complexity of the system to use it more effectively. The current system was not designed to be flexible, and the inflexibility is the problem when it comes to serving the community. There must be a mechanism to buffer that.

Can services be transformed to where children are and then incorporate natural helpers? Absolutely. For a small agency linked with other very small agencies, the referrals and the amounts of service requests that come in exceed the capabilities of the professionals. How can the current system be transformed into one that is workable? Members of ethnically diverse populations have unique service needs. Clients have unique needs. At the programmatic level, the providers can bring special insight to understanding those questions. That can only happen if a diverse staff can work inside the functioning public agencies and in the communities. Planners will have to examine ways of recruiting, retaining, and nurturing and supporting the people who work in the system.

The number of culturally competent staff working at every level of the child protective service system must increase. Services must be more available, accessible, and appropriate to the clients of ethnically diverse populations. The cultural competence of every worker must be strengthened, especially because there never will be enough professionals of any one group to even serve that group. Supervisors, directors, and workers must be very clear about their positions and background. Everyone comes from a perspective, and that perspective drives their direction. The goal is not to say that one group is better than another or different from another, but to recognize that all come together.

Michael W. Weber

Mr. Weber began his presentation by differentiating between "community-based" and "neighborhood-based" approaches. "Neighborhood-based" carries primarily geographic connotations. A community-based approach also includes ethnic communities and religious communities. If the community-based effort is aimed at protecting children, then the CPS agency can participate if its main role is to support families in raising their children safely. CPS cannot provide the support that many families will need. It cannot be available 24 hours a day and 7 days a week. Often the contact is going to be once a month. This is not the kind of support that families need. If CPS is going to work with its community, it must provide access to that community and to wider community support.

On what basis can a social worker who is working with the family collaborate with other parts of the community? Hennepin County has about 1,200 staff people and about 800 nonprofit agencies. One social worker cannot know all the social workers and all the schools in the community. If CPS is to provide effective service delivery, it must be community based, and the staff must be working with others in the community.

Should CPS do prevention? Again, a public agency cannot carry the responsibility alone for protecting children. It has to be a community-wide responsibility, and CPS is a specialized part of that. In working with people in the community, CPS should bring in the larger community, self-help groups, other nonprofits, churches, and schools to provide the support that families need. The role of CPS is to ensure that the families that do end up in this kind of crisis are served appropriately.

Policies must be consistent. The Hennepin County CPS prepared the *End Decision Point Policy Manual* to resolve some of these issues. It identifies clear policies and it is consistent across Hennepin County, but it does not preclude CPS from being actively involved in the individual communities.

Is cultural competence the norm within CPS agencies? CPS agencies around the country generally are at the state of cultural blindness—a sense that what works for the dominant culture is universally applicable. Hennepin County CPS prepared a diversity agenda for 1992. It begins with 2 days of mandatory training for all staff on multicultural issues, followed by specific training in various areas of diversity. Cultural and ethnic resource fairs also are included. The agency has adopted a policy that prohibits racial discrimination. Retention, recruitment, and promotion policies now target people of color. The budget for translators has expanded, and policies require that they be provided in certain circumstances. Policy changes are necessary. CPS has now adopted policies on kinship and biracial children. In terms of placements, CPS now will respect the heritage that the family identifies with primarily.

Will families voluntarily participate in community-based support? Hennepin County has begun a project to provide at-risk families with vouchers for $3,500 worth of social services. Each family will decide what services it will use. Fifty-nine high-risk families were asked to participate in the pilot phase. Four declined, and two others left the program. A foundation recently approved a $2 million study to answer the following questions.

- Will high-risk families participate in services that are voluntarily available to them?
- What services will they use? Will they use the same mixture of services that CPS tells them to use?
- Will it make a difference?

The agencies providing services include the Minnesota Indian Women's Resource Center; the Institute on Black Chemical Abuse; and Chicanos/Latinos Unidos en Servicio (CLUES). Many of the agencies are identified in ethnic minority communities. Research is showing that families use a different mixture of services than CPS would suggest.

Discussion

Ms. Mohamoud asked how parents were included in cultural competence education. Mr. Weber replied that Hennepin County CPS makes sure that families understand the resources it can access. Minnesota's heritage-related legislation also establishes a placement preference. The first choice for placement is with relatives. The second is with people of the same cultural heritage. Parents may choose to not follow that statutory order of preference, but the social worker assigned to that family must explain to the parents what their rights are under the statute. In the Minority Advocate Program, African-American, American Indian, Hispanic, and Southeast Asian advocates work with families of the same heritage when there is a risk of a child going into placement. If the parents are going to depart from the statutory order of preference, the minority advocate also must explain their rights to them.

Mr. Gold asked Mr. Weber if he was committed to trying to get the County commissioners to support the research project as a full part of his program. Mr. Weber replied that he was committed. The foundation sponsoring the research is examining the possibility of replication in at least two other jurisdictions.

Mr. Barry asked when the results of the program would be available. Mr. Weber replied that the project will last for 3 years. During the 6 months of the pilot phase, 59 families were brought in. During the first year, 200 families will enter, and another 270 will join during the second year. During the third year, the project will monitor how families are doing. One major indicator will be additional reports of child abuse and neglect. However, this is not a good indicator because abuse and neglect may not be reported or because these families will be more likely to be reported because of their close contact with the agency.

The study will address whether families in the Child Protection Program differ from those that are not. If not, can service providers apply the study's findings to families in which the abuse and neglect has already occurred?

Ms. Chase asked Mr. Weber to recommend a strategy for States to shift the role of CPS from investigation to prevention. Mr. Weber replied that CPS must be a part of a larger array of services. Doing child protective services extremely well but doing nothing else cannot work. The key is a balanced system.

Mr. Melton asked the panelists to discuss the problem of self-help and grassroots organizations losing whatever is special about them when they become formalized. Ms. Dory replied that self-help mutual aid organizations experience special pressures when they organize formally and begin to deliver services. The organization's biggest challenge is to hang on to what made it valuable—the mutual support and the informality—as it is required to do things like intakes, assessments, and service delivery. Mutual self-help organizations need to be supported without being overburdened by temporary funding that artificially expands their resources or administrative responsibilities and practices.

Ms. Pion-Berlin commented that the Parents Anonymous network is in a different situation. Parents Anonymous believes that the organizational infrastructure is as important as the model, belief system, and philosophy. Successful programs have been around for a long time, and there is no need to reinvent or rename them. If people have been doing something that works for many years, those programs should be replicated.

Mr. Hedges-Goettl also responded to Mr. Melton. If systematizing self-help groups means imposing a structure on them, they will not work. However, self-help groups still need a connection to a larger network. Ms. Dory added that self-hep groups do not want to be exploited by government. If California does not fund the self-help center, other organizations will refer people to appropriate groups. At the same time, governments can provide some support at little cost, such as allowing groups to use government buildings. Liability is an issue that affects agencies and self-help. The counsel to the California Department of Mental Health has said that there is little precedent for laws about how self-help groups operate because there is no exchange of money. The general liability that most agencies have covers almost anything that would occur in a self-help group. Little physical damage has ever been done in groups, and research shows only four cases in which people claimed emotional damage because of participation in self-help groups. Alcoholics Anonymous, Narcotics Anonymous, and Overeaters Anonymous have helped millions of people, but their good work is still devalued by continued reference to strange or trivial self-help groups.

Mr. Melton asked whether government can facilitate community development by developing and transferring knowledge and supplying funds. Mr. Weber replied that it is extremely important to empirically validate programs that seem to work. Many people think that family preservation programs work, but they do not want to spend money on them until it can be proven. It is the least intrusive method. It keeps families together. It is the cheapest method. As much is known about family preservation services as about foster care. Unless it is worse than foster care, it should be used.

Ms. Durfee cited an article from the *National Center for Prosecution of Child Abuse Newsletter* that raises several concerns about family reunification. Although it may be cheaper and it seems to work, it may risk children's lives. She asked panel members to describe the balance between keeping families together to save money and risking the safety of the child.

Mr. Weber strongly responded that his agency will not jeopardize the safety of a child. However, it is important to look at the other side of the coin. How can it be determined whether a child will be at risk if he or she stays home? Can the child's safety be guaranteed if the child goes into a foster home or a residential treatment center? The decision is subjective, based on knowledge of human behavior and the supports that can be provided. In 1983, Hennepin County converted its entire voluntary family preservation program to a family preservation model. No children left in the home have died. Some children did end up in foster care, but none died. At least two children died after being returned to the home. The only way to have avoided those deaths would have been not to let any children go home. For the most part, families want to care for their child's safety. Families with support will be able to care for their child safely, but children will continue to die at the hands of their parents. The question becomes what is best for the families in which this tragedy will not occur, and remaining safely at home is best for the child.

Ms. Fernandez commented that CPS is being cornered into becoming an investigative body. The role of CPS workers as agents of education and prevention will disappear because of the burnout in this field. CPS workers must get their clients to be open to using community services. If the workers are bound by what they are told to do, they will see themselves as agents of education and prevention. Another participant commented that family preservation is one of a continuum of services. No disposition options—foster care, residential treatment, or family preservation services—are completely safe. In family preservation, workers actually talk to the family. They are in a much better position to make good decisions than a worker in the normal child welfare system who has limited information. Federal policies also affect this debate. The Federal Government has set up the IV-E system as an open-ended reimbursement to the State, but IV-D is a limited amount of money.

Ms. Thomas remarked that much existing research has not been analyzed sufficiently. On the other hand, there has not been enough quality research specifically on ethnic communities. The problems of ethnic communities have been studied to death, but policies are being made about ethnic minority communities without understanding the implications. People of different ethnic groups need to develop a research agenda.

Ms. Pion-Berlin agreed that research must involve the people being studied. The Federal Government must form partnerships between the people who are doing community-based work and funders.

DISCUSSION OF CROSSCUTTING THEMES

Ms. Mohamoud asked participants to identify crosscutting issues relevant to the programs that would be applicable to a new strategy. Mr. Hedges-Goettl asked how the new strategy would fit with the existing system. Mr. Melton answered that the strategy is new in the sense of redefining child protection. There is a consensus that the system does not do a good job of protecting children. On the other hand, part of the idea behind a neighborhood focus is to incorporate or rebuild natural ways of child protection. Ms. Thomas said that poverty and the implications of poverty can prevent people from being neighborly for economic and safety reasons. All neighborhoods are not the same. Also, most Challenge Grant Funds that go to the States only go to CPS agencies, and the remaining agencies have not been adequately supported. Issues such as this should be addressed at a policy level.

Mr. Melton said that the Advisory Board's 1991 report stressed that child protection cannot be defined at the Federal level. He then asked whether there are ways of building community-level response to resolve the problems of impoverished families. Ms. Thomas replied that first we must get the message across, that the problem of child abuse is no greater in ethnic-minority communities. The problem is that once children of color enter the system, they seem to remain there longer and generally have a poor outcome. In looking at ways to build community level responses, our strategies should include increasing preventive efforts such as family support services. Community-base programs which are designed to keep families functioning should be both flexible and comprehensive in scope. If we really are serious about helping families, we must advocate strongly to improve child care and other benefits for children.

She suggested that our research must focus more on family strengths and what special skills various families use to cope with daily stressors. Some of these strengths stem from an individual family's own sense of empowerment and their value system. Mr. Melton remarked that families that come into the system are more likely to be isolated from the rest of the neighborhood. Are there ways that the community itself can deal with neglect problems? Ms. Thomas replied that no only are the people isolated, the communities are isolated as well. They are often considered, "on the other side of town" and may even physically be barricaded by freeways, railroad tracks, and similar structures. Unfortunately, within these communities, people have the same fear about getting involved that seems to happen in other communities, which may be less "isolated." Policy-makers and members of the professional community who are doing various research projects, should make a special effort to gather information from communities which are considered impoverished. Members of the community know what is needed, they should be heard, and appropriate responses should be made. Ms. Fernandez added that communities do have a lot of strength, but not all families are within a community.

Ms. Dory said that one of the strengths of self-help groups lies in the traditions that most groups have of reaching out to others. Someone who is in recovery can say things to another person with the same problem that a professional could never say. That twelfth step in groups such as Alcoholics Anonymous is powerful. It requires people who have gotten help to turn around and help someone else, which converts people into helpers.

Mr. Melton and Mr. Barry stated that many families are very isolated from their community. Can community resources reach those families? The people who need the help often are those who do not welcome an approach and who put up walls to keep the community from bothering them. Ms. Dory replied that extreme cases are difficult in every area. The system must handle those cases, but in many cases the system gets in the way and prevents people from helping each other. Ms. Willis agreed and said that clinics, hospitals, and agencies set things up for the convenience of the staff, not the convenience of the client or the patient. Ms. Melton added that public servants are trying to limit the number of clients so they are not going to tell people about services.

Mr. Hedges-Goettl said that the participants seemed to be saying that more people would use the community- and neighborhood-based facilities if they knew the facilities were available. Some communities just do not have the services. In many communities, people do not understand that self-help groups or other resources could help them. No mechanism exists to make available programs that work in other communities. Building a strategy that uses those resources requires a way to replicate the resources in other locations. Ms. Dory added that there must be brokering for entities in States and localities. Most self-help groups cannot even respond to an RFP without abandoning their mission. Almost all Federal initiatives require a formal organization and an auditing system, and that structure is too far from the grassroots.

Ms. Fernandez said that the whole system has to become more humane. Public clinics can provide information that their clients can use through printed matter, radio announcements, and other media. Using the appropriate language, these materials would describe services that clients could use and refer them to providers. Front-line workers at clinics should be trained to respond courteously to their clients.

Ms. Melton agreed that community-based services must be involved in reaching neglectful families. Neglect cases tend to be ignored because they are so difficult and they include so many issues—mental health, disability, education, nutrition, teenage pregnancy, drug abuse, alcohol abuse, and public health.

Ms. Bigfoot said that tradition requires those who receive help to help another in turn. That approach restores dignity to the person who received help because they can choose how and when to do it. Mr. Hedges-Goettl reminded the Advisory Board that things that may not look like prevention still can prevent abuse. No studies support the assertion, but working with adult survivors of abuse definitely comes under the umbrella of prevention. Ms. Duncan-Jones stressed the importance of volunteerism. Volunteers fill gaps and reach people that the formal system cannot reach.

Mr. Gold asked whether cities like Cleveland or Seattle that have African-American mayors have greater sensitivity. Ms. Thomas replied that it depends on the situation. When people's expectations are not met, there is a sense that the system is not working at all. There is a certain amount of warm feeling if an elected official or agency head is a person of an identified ethnic group.

Mr. Gold asked why churches and synagogues do not get more involved in child abuse and neglect issues. Mr. Hedges-Goettl replied that social welfare people and people of religious perspectives do not trust each other. Religious leaders are told that they should not be involved in abuse and neglect because it is a social issue. Clergy also are high risk for abuse, especially sexual abuse. Ms. Dory added that some organized religious have a patriarchal perspective that has promoted subjugation of women and children. Mr. Hedges-Goettl replied that patriarchal communities still usually have a companion understanding of community life and mutual responsibility, and hurting children is not acceptable in any of those communities. If one builds on the strengths of the community instead of challenging it directly, the community will learn from the experience.

Mr. Melton said that the first report of the Board described child maltreatment as a moral problem and toleration of it as a moral problem. At the same time, the strategy is non-judgmental for the most part. Can religious institutions say the community should be outraged while also encouraging people to reach out non-judgmentally? Mr. Hedges-Goettl said that both things happen in religious institutions. On one hand, a behavior is denounced because of the belief system. On the other hand, the mandate to reach out, repair, and recover is the reason that the offense is identified in the first place.

Ms. Dory said that the African-American churches no longer can act as the gatekeepers in the community. Because they were so prominent in the civil rights movement, people expect them to continue to act as agents of social change. By and large, small churches are struggling to meet the needs of their own congregations.

Mr. Barry asked if there are communities that nobody can work with. Ms. Thomas replied that all communities can be approached, but it requires a different strategy. Outreach efforts have to be handled quite differently, and no single mechanism will work for everybody. It is difficult to get qualified social workers who are willing to go into these communities and who can relate to the people, but the whole notion of community-based services is an important tool for child protection. It takes a special kind of worker, and those workers need to be rewarded.

Mr. Barry asked if strengthening the ability of the community to help itself is realistic. Does it depend on outside people coming in? Ms. Thomas replied that it is realistic. People from the community work side by side with the most sophisticated professionals because the translation is necessary.

Mr. Gold asked why the CASA program is not marketed more aggressively. Ms. Duncan-Jones replied that volunteers must be trained and supervised, and many need expense money. Little money is available for these costs or to pay the professional staff. Another participant added that training each volunteer costs about $650. The Federal appropriation for CASA was $1 million last year. Marketing

CASA depends on the courts. There will be no volunteers to appoint unless judges support the program, and many judges doubt the ability of volunteers to handle complex cases. Mr. Melton added that CASA programs are in cities that have separate juvenile courts, but many rural courts are not specialized. These courts have limited resources and cannot support CASA programs.

A participant said that CASA programs are increasing at the rate of four per month. Funding is the principal issue or obstacle for most of the programs. There is Federal authorization for funding CASA programs, but under the Budget Enforcement Act the money has never been appropriated. Most local CASA programs operate as nonprofits; others use public funding. The average budget for a CASA program is $61,000. Mr. Richardson said that marketing efforts for CASA should be aimed at judges. A participant noted that recruitment of volunteers is not a problem. Many CASA programs have waiting lists. For quality control, however, CASA wants one supervisor to 30-40 volunteers. The need is to get enough funding to support supervision of the volunteers. Mr. Melton agreed that recruiting volunteers for child abuse and neglect programs is not difficult.

Ms. Dory agreed with Ms. Thomas that sometimes it is necessary to take people out of the community so that they can get a sense of a different way of connecting and being in community. The idea is that they are the ones who can change their communities, not those who live outside of it.

Mr. Richardson suggested to the other participants that there will be no accountability in the child welfare system if the power of the law is not used. Suing County, State, and local officials through Federal courts using reasonable efforts requirements will get them to take these requirements seriously.

4. Field Visits in Minneapolis, Minnesota

Project DEMAND

A substance-abuse treatment program for women who have abused chemicals during pregnancy. The program provides non-residential treatment programming, safe housing for the women and their children paid for by AFDC, child care while mothers are in treatment sessions, and child development programming and parenting education. The program serves primarily African-American women, and includes program components for males playing significant roles in clients' lives.

Also present at this site will be Eden Day program, and similar non-residential substance abuse treatment program providing services to pregnant and post-partum women with their children.

New Vistas

This is an alternative school for pregnant adolescents and adolescent women with children. It is patterned on the New Beginnings program in Arizona, and is unique because it is sited at the corporate headquarters of Honeywell, Inc. The Minneapolis Public Schools provide the teacher, Hennepin County the child care, and Honeywell the space and mentors for the students.

Also present at this site will be home visitors from the Minneapolis Way To grow program which is located ion the same neighborhood and for which Honeywell is the corporate sponsor. The site is named Tender Loving care and, like other Way To Grow programs, provides prenatal care and emphasizes home visits after the birth of a child.

Reuben Lindh Center

This is a daytime program for preschool children with significant developmental delays, some of which are due to genetically based developmental disabilities and some of which are due to neglect and environmental factors. The program emphasizes stimulative programming for children and supportive programming for parents.

Also available at the site will be the Southside Nurturing Center, also a center for children with special needs and utilizing home visits and parental support groups to enable parents to adopt parenting practices supportive of the Center's program.

Both centers are funded by the County and most clients are Child Protection clients.

Family and Children's Services of Minneapolis

This agency has a contract with the county for provision of family support services for families in which long-term neglect of children has been an issue. The program focuses on developing parental skills as contrasted with simply monitoring the level of parental care of the children.

Also at the site will be the Parent Support Program provided by County staff. This program also focuses on support of families in which long-term neglect has been a problem, but in which one or both parents are developmentally delayed. This program is a collaboration between the County's Child Protection and Developmental Disability staff.

Minnesota Indian Women's Resource Center

This center is a comprehensive service center for American Indian Women. It has on site both residential and non-residential substance abuse treatment programs, subsidized housing, child care, and employment programming. In addition, the program has a contract with the County for Family Preservation Services, utilizing a Families First model culturally appropriate for American Indian Families.

Also at the site is the Institute on Black Chemical Abuse, a multi-service agency with culturally appropriate services for African-American clients. The Institute provides non-residential substance abuse treatment and has a contract for Family Preservation Services.

In addition, these two programs are participants in Family Options, a McKnight Foundation funded project to attempt to prevent child abuse and neglect in families at high risk of abuse and neglect.

Freeport West

This is an agency with a County contract for providing intensive family support services both to prevent foster placements and to reunify families earlier than would otherwise be possible. This contract is unique in that it provides for a bi-weekly renegotiation of services to be provided for each client family, and is a very unique sharing of case management responsibilities between Child Protection and contract service agency staff.

On site will also be Chicanos/Latinos Unidos En Servicio (CLUES), an agency providing the same contracted service culturally appropriate for Hispanic families.

C. DEVELOPMENT OF THE 1994 REPORT ON A PROPOSED NATIONAL POLICY ON CHILD MALTREATMENT-RELATED FATALITIES

1. Hearing in Los Angeles

HEARING ON CHILD MALTREATMENT-RELATED FATALITIES **

April 3, 1992
Los Angeles County
Board of Supervisor's Hearing Room
Los Angeles, California

Presiding: Deanne Tilton Durfee

Purpose of Hearing

Deanne Tilton Durfee
Vice-Chairperson
U.S. Advisory Board on Child Abuse and Neglect

Media Perspective in Child Abuse Fatalities

Carole Langer
Producer and Director
New York, New York

** In conjunction with the Tenth meeting of the U.S. Advisory Board on Child Abuse and Neglect, the Board decided to hold a hearing on child maltreatment-related fatalities. The Board wishes to thank the staff of the Los Angeles County Inter-Agency Council on Child Abuse and Neglect as well as Board member Deanne Tilton Durfee for their assistance in arranging the hearing.

Medical Neglect Deaths Due to Religious Beliefs

Rita Swan
President and Founder, Children's Healthcare is a Legal Duty (CHILD) Inc.
Sioux City, Iowa

Overview of Multi-Agency Child Death Review Teams

Michael Durfee
Coordinator, Los Angeles County Department of Health Services
Child Abuse Prevention Program
Los Angeles, California

Mitch Mason
Program Analyst, Los Angeles County Inter-Agency Council
on Child Abuse and Neglect
Los Angeles, California

Role of the Coroner in Child Abuse Fatalities

Eva Heuser
Deputy Medical Examiner, Los Angeles County Department of Coroner
Los Angeles, California

Illona Lewis
Director, Los Angeles County Department of Corner
Los Angeles, California

Brad Blackbourne
Chief Medical Examiner
San Diego, California

Child Welfare Perspective

Peter Digre
Director, Los Angeles County Department of Children's Services
Los Angeles, California

Problems in Reporting the Incidence of Child Abuse Fatalities

Stan Wilkins
Manager, Violent Crime Information Systems
State of California Office of the Attorney General

Panel/Criminal Justice Perspective

Lieutenant Joe Surgent
Child Abuse Detail, Los Angeles County Sheriff's Department
Los Angeles, California

Ryan Rainey
Deputy District Attorney, Los Angeles County District Attorney's Office
Los Angeles, California

The Honorable Harry Elias
San Diego County Municipal Court Judge
California

Prevention Efforts

Astrid H. Heger
Director, Los Angeles County/University of Southern California
Medical Center Pediatric Suspected Child Abuse and Neglect (SCAN) Team
Los Angeles, California

Comments from the Public

2. Field Visit in Los Angeles

ICAN MULTIAGENCY CHILD DEATH REVIEW TEAM
Coroner's Office
Los Angeles, California

April 2, 1992

The U.S. Advisory Board on Child Abuse and Neglect observed a meeting of the Los Angeles County Inter-Agency Council on Child Abuse and Neglect Multi-Agency Child Death Review Team. This body was the first multi-agency child death review team established in the nation. Board members observed presentations and discussion of several suspicious child deaths which had recently occurred in Los Angeles County. These presentations and discussions were of confidential case materials from involved agencies with the purpose of identifying system problems and improving the response to sudden and unexpected child deaths.

Michael Durfee
Coordinator, Child Abuse Prevention Program
Los Angeles County Department of Health Services

Detective III Bobby Smith
Consultant
Juvenile Division, Operations Section
Los Angeles Police Department

Mitch Mason
Program Analyst
Los Angeles County Inter-Agency Council on Child Abuse and Neglect

Henry Barboza
Supervising Children's Social Worker
Los Angeles County Department of Children's Services
Emergency Response Command Post

Detective Pat Barron
Investigator
Los Angeles Police Department, Abused Child Unit

Wivory Brandle
Supervising Deputy Probation Officer
Los Angeles County Probation Department

Lieutenant Tom Connally
Juvenile Division, Operations Section
Los Angeles Police Department

Ed du Conge
Program and Contracts Coordinator
Los Angeles County Department of Coroner

Azin Ehsan
Law Clerk, Los Angeles County District Attorney

Astrid H. Heger
Director, Los Angeles County/University of Southern California
Medical Center Pediatric Suspected Child Abuse and Neglect Team

Eva Heuser
Deputy Medical Examiner
Los Angeles County Department of Coroner

Myrna Kyte
Deputy Children's Services Administrator
Los Angeles County Department of Children's Services

Ann Lloyd
Nursing Coordinator
Los Angeles County/University of Southern California
Medical Center Pediatric Suspected Child Abuse and Neglect Team

Ella Martin
Deputy County Counsel, Los Angeles County Counsel

Lieutenant Al Moen
Los Angeles Police Department, Abused Child Unit

Jeanene Morimoto
Administrative Assistant
Los Angeles County/University of Southern California
Medical Center, Medical Information Services

Frank Oliver
Investigator
Los Angeles County District Attorney's Office

Ryan Rainey
Deputy District Attorney
Los Angeles County District Attorney's Office

Sergeant Lynn Reeder
Los Angeles Sheriff's Department
Homicide Bureau

Lieutenant Joe Surgent
Los Angeles Sheriff's Department
Juvenile Operations Bureau

Deanne Tilton Durfee
Executive Director
Los Angeles County Inter-Agency Council on Child Abuse and Neglect

Oralia Velasquez
Senior Clinical Social Worker
Los Angeles County/University of Southern California
Medical Center Pediatric Suspected Child Abuse and Neglect Team

Lois Walters
Program Specialist, Child Abuse Prevention Program
Los Angeles County Department of Health Services

Sally Davidson Ward
Children's Hospital of Los Angeles

Billie Weiss, Director
Injury Prevention and Control Project
Los Angeles County Department of Health Services

Penny Weiss
Assistant Director
Los Angeles County Inter-Agency Council on Child Abuse and Neglect

IV. APPENDIXES

APPENDIX A. MEMBERS, STAFF, COMMITTEES AND WORKGROUPS OF THE BOARD

1. Membership

In accordance with the provisions of the 1988 Amendments to the Child Abuse Prevention and Treatment Act, the U.S. Advisory Board on Child Abuse and Neglect comprises 15 members, each of which "is recognized for expertise in an aspect of the area of child abuse." Of the 15 members, two are Federal employees who are also members of the Federal Inter-Agency Task Force on Child Abuse and Neglect, and 13 are members of the general public.

Following is a list of Board members (current and former members). Each list identifies the beginning and ending dates of a member's term of appointment and specific expertise mandated by statute which a member brings to the Board.

1989 Appointees (Currently Serving)

Howard A. Davidson, Chair
Director
ABA Center on Children and the Law
American Bar Association
1800 M Street, N.W., S-300
Washington, D.C. 20036
202-331-2250

Representing: Law
Term Beginning: May 30, 1989
Term Ending: May 29, 1993

Gary B. Melton, Vice-Chair
Carl A. Happold Professor of Psychology and Law
Center on Children, Families, and the Law
University of Nebraska
Lincoln Square, 121 South 13th Street
Lincoln, Nebraska 68588-0227
402-472-3130

Representing: Psychology
Term Beginning: May 30, 1989
Term Ending: May 29, 1995

Deanne Tilton Durfee, Vice-Chair
Executive Director
Los Angeles County Inter-Agency Council
on Child Abuse and Neglect (ICAN)
4024 Durfee Avenue
El Monte, California 91732
818-575-4362

Representing: At-large
Term Beginning: May 30, 1989
Term Ending: May 29, 1995

Frank D. Barry
Senior Extension Associate
Family Life Development Center
Cornell University
Ithaca, New York 14853-4401
607-255-7794

Representing: Organizations Providing Services to Adolescents
Term Beginning: May 30, 1989
Term Ending: May 29, 1993

Yvonne M. Chase
Vice President
Child Welfare Services
Lockheed Information Management Systems
626 Columbia Street, NW, Suite #1A
Olympia, Washington 98501
206-352-1544

Representing: Social Services
Term Beginning: May 30, 1989
Term Ending: May 29, 1995

Richard D. Krugman, Past Chair
Dean
School of Medicine
University of Colorado
4200 East 9th Avenue
Denver, Colorado 80262
303-270-7563

Representing: Medicine
Term Beginning: May 30, 1989
Term Ending: May 29, 1993

Joyce L. Mohamoud
Executive Director
State Resource Office
Parents Anonymous of New Jersey
12 Roszel Road, Suite A-103
Princeton, New Jersey 08540
609-243-9779

Representing: Parent Self-help organizations
Term Beginning: May 30, 1989
Term Ending: May 29, 1993

Diane J. Willis
Director of Psychological Services
Child Study Center
Department of Pediatrics
1100 Northeast 13th Street
Health Sciences Center
1100 Northeast 13th Street
Oklahoma City, Oklahoma 73117
405-271-5700

Representing: Organizations Providing Services to Disabled Persons
Term Beginning: May 30, 1989
Term Ending: May 29, 1993

1989 Appointees (Resigned/Terms Expired)

Betsy Brand
Assistant Secretary for Vocational
and Adult Education
U.S. Department of Education
Washington, D.C.

Representing: Inter-Agency Task Force
on Child Abuse and Neglect
Term Beginning: May 30, 1989
Term Ending: Resigned December 1991

Earl L. Dunlap
Executive Director
National Juvenile Detention Association
Richmond, Kentucky

Representing: State and
local government
Term Beginning: May 30, 1989
Term Ending: October 24, 1992

H. Gordon Evans
Director
National Foster Parents Association
Houston, Texas

Representing: Parents' groups
Term Beginning: May 30, 1989
Term Ending: October 24, 1992

Judith C. Frick
Executive Director
Cities in School, Inc.
Wichita, Kansas

Representing: Voluntary groups
Term Beginning: May 30, 1989
Term Ending: October 24, 1992

Donna N. Givens
Deputy Assistant Secretary
for Children and Families
U.S. Department of Health
and Human Services
Washington, D.C.
Current Address:
1333 Connecticut Avenue, N.W., S. 700
Washington, D.C. 20036
202-223-8947

Representing: Inter-Agency Task Force
on Child Abuse and Neglect
Term Beginning: May 30, 1989
Term Ending: January 21, 1993
(Federal Seat currently vacant)

Jeanne D'Agostino Rodriguez
Director of Community Relations
Laurel Oaks Hospital
Orlando, Florida

Representing: At-large
Term Beginning: May 30, 1989
Term Ending: October 24, 1992

Deborah M. Walsh
Associate Director, Educational Issues Department
American Federation of Teachers
Washington, D.C.
Current Address:
Director, Chicago Teachers Union Quest Center
222 Merchandise Mart Plaza, Suite 400
Chicago, Illinois 60654
312-329-6210

Representing: Teachers
Term Beginning: May 30, 1989
Term Ending: Resigned
December 1991

April 1993

1992 Appointees (Currently Serving)

Enid A. Borden
President
The Borden Group
101 North Alfred Street, Suite 200
Alexandria, VA 22314
703-548-3692

Representing: Teachers
Term Beginning: October 25, 1992
Term Ending: May 29, 1995

Jane Nady Burnley
Executive Director
VALOR
P.O. Box 862
McLean, VA 22101-0862
703-538-6898

Representing: Voluntary Groups
Term Beginning: October 25, 1992
Term Ending: May 29, 1996

Brenda G. Meister
Acting Director
Office for Victims of Crime
Department of Justice, Room 1386
633 Indiana Avenue
Washington, D.C. 20531
202-307-5983

Representing: Inter-Agency Task Force on Child Abuse and Neglect
Term Beginning: January 1992
Term Ending: Indefinite

Lawrence F. Potts
Director, Administrative Group
Boy Scouts of America National Office
1325 West Walnut Hill Lane
P.O. Box 152079
Irving, TX 75015-2079
214-580-2225

Representing: At-Large
Term Beginning: October 25, 1992
Term Ending: May 29, 1996

Prince Preyer, Jr.
Commissioner, District Six
Madison County Commission
3210 Hi Lo Circle, Suite B
Huntsville, AL 35811
205-532-1505

Representing: State and Local Government
Term Beginning: October 25, 1992
Term Ending: May 29, 1996

1992 Appointee (Resigned)

James H. Egan
Clinical Professor of Psychiatry
George Washington University
35 Wisconsin Circle
Chevy Chase, MD 20815
301-913-5953

Representing: Parents' Groups
Term Beginning: October 25, 1992
Term Ending: Resigned
February 8, 1993

2. Staff And Other Personnel Resources--1991-1992

Staff

Byron D. Metrikin-Gold (December 1988)*
Executive Director
U.S. Advisory Board on Child Abuse and Neglect
200 Independence Avenue, SW
Washington, D.C. 20201
202-690-8332

Eileen H. Lohr (December 1989)*
Program Assistant, U.S. Advisory Board on Child Abuse and Neglect
202-690-6053

Joan M. Williams (September 1991)*
Special Projects Specialist, U.S. Advisory Board on Child Abuse and Neglect
202-690-8178

Other Personnel Resources

Preston Bruce (November 1992--)*
Acting Deputy Director, U.S. Advisory Board on Child Abuse and Neglect
202-690-7059

Shawn A. Jackson (June 1992 to October 1993)*
Secretary, U.S. Advisory Board on Child Abuse and Neglect
202-690-7036

Marilyn J. Gosdeck (January 1993 to December 1993)*
Special Projects Specialist, U.S. Advisory Board on Child Abuse and Neglect
202-690-8604

Marla Brin (November 1992 to May 1993)*
Social Sciences Analyst, U.S. Advisory Board on Child Abuse and Neglect
202-690-6705

Karol A. Watson (December 1991 to July 1992)*
Special Projects Specialist, U.S. Advisory Board on Child Abuse and Neglect

*(Date of appointment to Board staff)

3. Committees and Work Groups-- 1991-1992

EXECUTIVE COMMITTEE

Howard A. Davidson, Chair
Frank D. Barry
Yvonne M. Chase
Richard D. Krugman
Gary B. Melton
Deanne Tilton Durfee

RESEARCH COMMITTEE

Gary B. Melton, Chair
Richard D. Krugman
Diane J. Willis

NEW NATIONAL STRATEGY WORKGROUP

Gary B. Melton, Chair
Frank D. Barry
Joyce L. Mohamoud
Jeanne D. Rodriguez
Diane J. Willis

FATALITIES WORKGROUP

Deanne Tilton Durfee, Chair
Howard A. Davidson
Donna N. Givens
Richard D. Krugman
Brenda G. Meister

APPENDIX B. PERSONS APPEARING BEFORE THE BOARD DURING MEETINGS

A list of the names and affiliations of individuals who addressed the Board during its meetings follows.

MEETING OF SEPTEMBER 11-15, 1991
Denver, Colorado

The Rev. Bernard Bush, S.J.
Director, Office for the Development of Ministry Personnel
Diocese of Norwich Connecticut

Patti Cole
Senate Subcommittee on Children, Families, Drugs and Alcohol (staff)

Stephanie Monroe
Senate Subcommittee on Children, Families, Drugs and Alcohol (staff)

Laurence Peters
House Subcommittee on Select Education (staff)

Daniel Guiney
Instructor, Chicago Police Academy
Chicago, Illinois

Jo Anne Barnhart
Assistant Secretary for Children and Families
Administration for Children and Families
Department of Health and Human Services

Wade F. Horn
Commissioner, Administration on Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

David W. Lloyd
Director, National Center on Child Abuse and Neglect
Administration on Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

MEETING OF JANUARY 8-10, 1992
Washington, D.C.

Laurence Peters
House Subcommittee on Select Education (staff)

Julie Shroyer
House Select Committee on Children, Youth and Families (staff)

Members of the Panel on Research on Child Abuse and Neglect
National Research Council
National Academy of Sciences

Federal Inter-Agency Task Force on Child Abuse and Neglect
U.S. Department of Health and Human Services

Lucille A. Collette
President, National Parent Aide Association

George Mezinko
Director, National Exchange Club Foundation
for the Prevention of Child Abuse

Luke Geoghegan
Former Manager for Child Protective Services
London Borough of Islington
London, England

Timothy M. White
Office of General Counsel
Department of Health and Human Services

Madeline Nesse
Office of General Counsel
Department of Health and Human Services

Jo Anne Barnhart
Assistant Secretary for Children and Families
Administration for Children and Families
Department of Health and Human Services

Donna N. Givens
Principal Deputy Assistant Secretary
  for Children and Families
Administration for Children and Families
Department of Health and Human Services

Wade F. Horn
Commissioner, Administration on Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

Joseph A. Mottola
Deputy Commissioner, Administration for Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

David W. Lloyd
Director, National Center on Child Abuse and Neglect
Administration on Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

Joan Gaffney
Chief, Clearinghouse Division
National Center on Child Abuse and Neglect
Administration on Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

MEETING OF APRIL 1-3, 1992
Los Angeles, California

Donna N. Givens
Principal Deputy Assistant Secretary
for Children and Families
Administration for Children and Families
Department of Health and Human Services

MEETING OF MAY 27-29,1992
Minneapolis, Minnesota

Michael W. Weber
Director, Hennepin County Community Services Department
Minneapolis, Minnesota

Donna N. Givens
Principal Deputy Assistant Secretary
for Children and Families
Administration for Children and Families
Department of Health and Human Services

MEETING OF NOVEMBER 15-18, 1992
Washington, D.C.

Federal Inter-Agency Task Force on Child Abuse and Neglect
U.S. Department of Health and Human Services

David W. Lloyd
Director, National Center on Child Abuse and Neglect
Administration on Children, Youth and Families
Administration for Children and Families
Department of Health and Human Services

Donna N. Givens
Principal Deputy Assistant Secretary
  for Children and Families
Administration for Children and Families
Department of Health and Human Services

April 1993

APPENDIX C. CHILD ABUSE PREVENTION AND TREATMENT ACT (INCLUDING ALL AMENDMENTS THROUGH THE END OF THE 102ND CONGRESS)

Legislative Authority: Child Abuse Prevention and Treatment Act, as amended.

U.S. Code Citation: 42 USC 5101 et seq.

Code of Federal Regulations Citation: 45 CFR 1340.

Legislative History: The Child Abuse Prevention and Treatment Act, originally enacted in Pub.L. 93-247, was subsequently amended several times. The Child Abuse Prevention, Adoption and Family Services Act of 1988, Pub.L. 100-294, enacted on April 25, 1988, completely rewrote the Act.

The "Child Abuse and Neglect Prevention Challenge Grants" program was originally authorized by sections 402 through 409 of the Continuing Appropriations Act for FY 1985, Pub.L. 98-473, enacted on October 12, 1984. The Child Abuse Prevention Challenge Grants Reauthorization Act of 1989, Pub.L. 101-126, enacted on October 25, 1989, added this program to the rewritten Act, as a new title II.

The Drug Free School Amendments of 1989, Pub.L. 101-226, enacted on December 12, 1989, amended the rewritten Act by adding the "Emergency Child Protective Services Grants" program as a new section 107A. The Stewart B. McKinney Homeless Assistance Act Amendments of 1990, Pub.L. 101-645, enacted on November 29, 1990, added a new title III to the rewritten Act.

Pub.L. 102-295, the "Child Abuse Programs, Adoption Opportunities, and Family Violence Prevention Amendments Act of 1992", reauthorized and otherwise amended most portions of the Child Abuse Prevention and Treatment Act. Pub.L. 102-586, the "Juvenile Justice and Delinquency Prevention Amendments of 1992", enacted on November 4, 1992, amended the "confidentiality" provision contained in paragraph 107(b)(4) of the Child Abuse Prevention and Treatment Act as it was amended by Pub.L. 102-295.

TABLE OF CONTENTS

Sec. 1. - Short title and table of contents.

Sec. 2. - Findings.

TITLE I -- GENERAL PROGRAM

Sec. 101. - National Center on Child Abuse and Neglect.

Sec. 102. - Advisory Board on Child Abuse and Neglect.

Sec. 103. - Inter-Agency Task Force on Child Abuse and Neglect.

Sec. 104. - National clearinghouse for information relating to child abuse.

Sec. 105. - Research and assistance activities of the National Center on Child Abuse and Neglect.

Sec. 106. - Grants to public agencies and nonprofit private organizations for demonstration or service programs and projects.

Sec. 107. - Grants to States for child abuse and neglect prevention and treatment programs.

Sec. 107A.- Emergency child abuse prevention services grant.

Sec. 108. - Technical assistance to States for child abuse prevention and treatment programs.

Sec. 109. - Grants to States for programs relating to the investigation and prosecution of child abuse and neglect cases.

Sec. 110. - Miscellaneous requirements relating to assistance.

Sec. 111. - Coordination of child abuse and neglect programs.

Sec. 112. - Reports.

Sec. 113. - Definitions.

Sec. 114. - Authorization of appropriations.

TITLE II -- GRANTS WITH RESPECT TO ENCOURAGING STATES TO MAINTAIN CERTAIN FUNDING MECHANISMS

Sec. 201. - Findings and purpose.

Sec. 202. - Definitions.

Sec. 203. - Grants authorized.

Sec. 204. - State eligibility.

Sec. 205. - Limitations.

Sec. 206. - Withholding.

Sec. 207. - Audit.

Sec. 208. - Report.

BEST COPY AVAILABLE

TITLE III -- CERTAIN PREVENTIVE SERVICES REGARDING CHILDREN OF HOMELESS FAMILIES OR FAMILIES AT RISK OF HOMELESSNESS

Sec. 301. - Demonstration grants for prevention of inappropriate separation from family and for prevention of child abuse and neglect.

Sec. 302. - Provisions with respect to carrying out purpose of demonstration grants.

Sec. 303. - Additional required agreements.

Sec. 304. - Description of intended uses of grant.

Sec. 305. - Requirement of submission of application.

Sec. 306. - Authorization of appropriations.

SEC. 2. FINDINGS. Congress finds that--

(1) each year, hundreds of thousands of American children are victims of abuse and neglect with such numbers having increased dramatically over the past decade;

(2) many of these children and their families fail to receive adequate protection or treatment;

(3) the problem of child abuse and neglect requires a comprehensive approach that--

(A) integrates the work of social service, legal, health, mental health, education, and substance abuse agencies and organizations;

(B) strengthens coordination among all levels of government, and with private agencies, civic, religious, and professional organizations, and individual volunteers;

(C) emphasizes the need for abuse and neglect prevention, investigation, and treatment at the neighborhood level;

(D) ensures properly trained and support staff with specialized knowledge, to carry out their child protection duties; and

(E) is sensitive to ethnic and cultural diversity;

(4) the failure to coordinate and comprehensively prevent and treat child abuse and neglect threatens the futures of tens of thousands of children and results in a cost to the Nation of billions of dollars in direct expenditures for health, social, and special educational services and ultimately in the loss of work productivity;

(5) all elements of American society have a shared responsibility in responding to this national child and family emergency;

(6) substantial reductions in the prevalence and incidence of child abuse and neglect and the alleviation of its consequences are matters of the highest national priority;

(7) national policy should strengthen families to remedy the causes of child abuse and neglect, provide support for intensive services to prevent the unnecessary removal of children from families, and promote the reunification of families if removal has taken place;

(8) the child protection system should be comprehensive, child-centered, family-focused, and community-based, should incorporate all appropriate measures to prevent the occurrence or recurrence of child abuse and neglect, and should promote physical and psychological recovery and social re-integration in an environment that fosters the health, self-respect, and dignity of the child;

(9) because of the limited resources available in low-income communities, Federal aid for the child protection system should be distributed with due regard to the relative financial need of the communities;

(10) the Federal Government should ensure that every community in the United States has the fiscal, human, and technical resources necessary to develop and implement a successful and comprehensive child protection strategy;

(11) the Federal Government should provide leadership and assist communities in their child protection efforts by--

(A) promoting coordinated planning among all levels of government;
(B) generating and sharing knowledge relevant to child protection, including the development of models for service delivery;
(C) strengthening the capacity of States to assist communities;
(D) allocating sufficient financial resources to assist States in implementing community plans;
(E) helping communities to carry out their child protection plans by promoting the competence of professional, paraprofessional, and volunteer resources; and
(F) providing leadership to end the abuse and neglect of the nation's children and youth.

TITLE I - GENERAL PROGRAM
NATIONAL CENTER ON CHILD ABUSE AND NEGLECT

Sec. 101. [42 U.S.C. 5101]

(a) Establishment. - The Secretary of Health and Human Services shall establish an office to be known as the National Center on Child Abuse and Neglect.

(b) Appointment of Director. -

(1) Appointment. - The Secretary shall appoint a Director of the Center. Except as otherwise provided in this Act, the Director shall be responsible only for administration and operation of the Center and for carrying out the functions of the Center under this Act. The Director shall have experience in the field of child abuse and neglect.

(2) Compensation. - The Director shall be compensated at the annual rate provided for a level GS-15 employee under section 5332 of title 5, United States Code.

(c) Other Staff and Resources. - The Secretary shall make available to the Center such staff and resources as are necessary for the Center to carry out effectively its functions under this Act. The Secretary shall require that professional staff have experience relating to child abuse and neglect. The Secretary is required to justify, based on the priorities and needs of the Center, the hiring of any professional staff member who does not have experience relating to child abuse and neglect.

BEST COPY AVAILABLE

ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

Sec. 102. [42 U.S.C. 5102]

(a) Appointment. - The Secretary shall appoint an advisory board to be known as the Advisory Board on Child Abuse and Neglect.

(b) Solicitation of Nominations. - The Secretary shall publish a notice in the Federal Register soliciting nominations for the appointments required by subsection (a).

(c) Composition of Board. -

(1) Number of Members. - The board shall consist of 15 members, each of which shall be a person who is recognized for expertise in an aspect of the area of child abuse, of which -

(A) 2 shall be members of the task force established under section 103; and
(B) 13 shall be members of the general public and may not be Federal employees.

(2) Representation. - The Secretary shall appoint members from the general public under paragraph (1)(B) who are individuals knowledgeable in child abuse and neglect prevention, intervention, treatment, or research, and with due consideration to representation of ethnic or racial minorities and diverse geographic areas, and who represent -

(A) law (including the judiciary);
(B) psychology (including child development);
(C) social services (including child protective services);
(D) medicine (including pediatrics);
(E) State and local government;
(F) organizations providing services to disabled persons;
(G) organizations providing services to adolescents;
(H) teachers;
(I) parent self-help organizations;
(J) parents' groups; and
(K) voluntary groups.

(3) Terms of Office. -

(A) Except as otherwise provided in this subsection, members shall be appointed for terms of office of 4 years.

(B) Of the members of the board from the general public first appointed under subsection (a) -
(i) 4 shall be appointed for terms of office of 2 years;
(ii) 4 shall be appointed for terms of office of 3 years; and
(iii) 5 shall be appointed for terms of office of 4 years, as determined by the members from the general public during the first meeting of the board.

(C) No member of the board appointed under subsection (a) shall be eligible to serve in excess of two consecutive terms, but may continue to serve until such member's successor is appointed.

(4) Vacancies. - Any member of the board appointed under subsection (a) to fill a vacancy occurring before the expiration of the term to which such member's predecessor was appointed shall be appointed for the remainder of such term. If the vacancy occurs prior to the expiration of the term of a member of the board appointed under subsection (a), a replacement shall be appointed in the same manner in which the original appointment was made.

(5) Removal. - No member of the board may be removed during the term of office of such member except for just and sufficient cause.

(d) Election of Officers. - The board shall elect a chairperson and vice-chairperson at its first meeting from among the members from the general public.

(e) Meetings. - The board shall meet not less than twice a year at the call of the chairperson. The chairperson, to the maximum extent practicable, shall coordinate meetings of the board with receipt of reports from the task force under section 103(f).

(f) Duties. - The board shall -

(1) annually submit to the Secretary and the appropriate committees of Congress a report containing -

(A) recommendations on coordinating Federal child abuse and neglect activities to prevent duplication and ensure efficient allocations of resources and program effectiveness; and

(B) recommendations as to carrying out the purposes of this Act;

(2) annually submit to the Secretary and the Director a report containing long-term and short-term recommendations on -

(A) programs;
(B) research;
(C) grant and contract needs;
(D) areas of unmet needs; and
(E) areas to which the Secretary should provide grant and contract priorities under sections 105 and 106;

(3) annually review the budget of the Center and submit to the Director a report concerning such review; and

(4) not later than 24 months after the date of the enactment of the Child Abuse Programs, Adoption Opportunities, and Family Violence Prevention Amendments Act of 1992, submit to the Secretary and the appropriate committees of the Congress a report containing the recommendations of the Board with respect to--

(A) a national policy designed to reduce and ultimately to prevent child and youth maltreatment-related deaths, detailing appropriate roles and responsibilities for State and local governments and the private sector;

(B) specific changes needed in Federal laws and programs to achieve an effective Federal role in the implementation of the policy specified in subparagraph (A); and

(C) specific changes needed to improve national data collection with respect to child and youth maltreatment-related deaths.

(g) Compensation. -

(1) In General. - Except as provided in paragraph (3), members of the board, other than those regularly employed by the Federal Government, while serving on business of the board, may receive compensation at a rate not in excess of the daily equivalent payable to a GS-18 employee under section 5332 of title 5, United States Code, including travel time.

(2) Travel. - Except as provided in paragraph (3), members of the board, while serving on business of the board away from their homes or regular places of business, may be allowed travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(3) Restriction. - The Director may not compensate a member of the board under this section if the member is receiving compensation or travel expenses from another source while serving on business of the board.

(h) Authorization of appropriations. - There are authorized to be appropriated to carry out this section, $1,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.

BEST COPY AVAILABLE

INTER-AGENCY TASK FORCE ON CHILD ABUSE AND NEGLECT

Sec. 103. [42 U.S.C. 5103]

(a) Establishment. - The Secretary shall establish a task force to be known as the Inter-Agency Task Force on Child Abuse and Neglect.

(b) Composition. - The Secretary shall request representation for the task force from Federal agencies with responsibility for programs and activities related to child abuse and neglect.

(c) Chairperson. - The task force shall be chaired by the Director.

(d) Duties. - The task force shall -

(1) coordinate Federal efforts with respect to child abuse prevention and treatment programs;

(2) encourage the development by other Federal agencies of activities relating to child abuse prevention and treatment;

(3) coordinate the use of grants received under this Act with the use of grants received under other programs;

(4) prepare a comprehensive plan for coordinating the goals, objectives, and activities of all Federal agencies and organizations which have responsibilities for programs and activities related to child abuse and neglect, and submit such plan to such Advisory Board not later than 12 months after the date of enactment of the Child Abuse Prevention, Adoption and Family Services Act of 1988; and

(5) coordinate adoption related activities, develop Federal standards with respect to adoption activities under this Act, and prevent duplication with respect to the allocation of resources to adoption activities.

(e) Meetings. - The task force shall meet not less than three times annually at the call of the chairperson.

(f) Reports. - The task force shall report not less than twice annually to the Center and the Board.

NATIONAL CLEARINGHOUSE FOR INFORMATION RELATING TO CHILD ABUSE

Sec. 104. [42 U.S.C. 5104]

(a) Establishment. - Before the end of the 2-year period beginning on the date of the enactment of the Child Abuse Prevention, Adoption and Family Services Act of 1988, the Secretary shall through the Center, or by contract of no less than 3 years duration let through a competition, establish a national clearinghouse for information relating to child abuse.

(b) Functions. - The Director shall, through the clearinghouse established by subsection (a) -

(1) maintain, coordinate, and disseminate information on all programs, including private programs, that show promise of success with respect to the prevention, identification, and treatment of child abuse and neglect, including the information provided by the National Center for Child Abuse and Neglect under section 105(b);

(2) maintain and disseminate information relating to -

(A) the incidence of cases of child abuse and neglect in the general population;
(B) the incidence of such cases in populations determined by the Secretary under section 105(a)(1) of the Child Abuse Prevention, Adoption, and Family Services Act of 1988;
(C) the incidence of any such cases related to alcohol or drug abuse; and
(D) State and local record keeping with respect to such cases; and

(3) directly or through contract, identify effective programs carried out by the States pursuant to title II and provide technical assistance to the States in the implementation of such programs.

(c) Coordination With Available Resources. - In establishing a national clearinghouse as required by subsection (a), the Director shall -

(1) consult with other Federal agencies that operate similar clearinghouses;

(2) consult with the head of each agency that is represented on the task force on the development of the components for information collection and management of such clearinghouse;

(3) develop a Federal data system involving the elements under subsection (b) which, to the extent practicable, coordinates existing State, regional, and local data systems; and

(4) solicit public comment on the components of such clearinghouse.

RESEARCH AND ASSISTANCE ACTIVITIES OF THE NATIONAL CENTER ON CHILD ABUSE AND NEGLECT

Sec. 105. [42 U.S.C. 5105]

(a) Research. -

(1) Topics. - The Secretary shall, through the Center, conduct research on -

(A) the causes, prevention, identification, treatment and cultural distinctions of child abuse and neglect;

(B) appropriate, effective, and culturally sensitive investigative, administrative, and judicial procedures with respect to cases of child abuse; and

(C) the national incidence of child abuse and neglect, including -

(i) the extent to which incidents of child abuse are increasing or decreasing in number and severity;

(ii) the relationship of child abuse and neglect to nonpayment of child support, cultural diversity, disabilities, and various other factors; and

(iii) the incidence of substantiated reported child abuse cases that result in civil child protection proceedings or criminal proceedings, including the number of such cases with respect to which the court makes a finding that abuse or neglect exists and the disposition of such cases.

(2) Priorities. -

(A) The Secretary shall establish research and demonstration priorities for making grants or contracts for purposes of carrying out paragraph (1)(A) and activities under section 106.

(B) In establishing research and demonstration priorities as required by subparagraph (A), the Secretary shall -

(i) publish proposed priorities in the Federal Register for public comment; and

(ii) allow not less than 60 days for public comment on such proposed priorities.

(b) Publication and Dissemination of Information. - The Secretary shall, through the Center -

(1) as a part of research activities, establish a national data collection and analysis program--

(A) which, to the extent practicable, coordinates existing State child abuse and neglect reports and which shall include--

(i) standardized data on false, unfounded, or unsubstantiated reports; and

(ii) information on the number of deaths due to child abuse and neglect; and

(B) which shall collect, compile, analyze, and make available State child abuse and neglect reporting information which, to the extent practical, is universal and case specific, and integrated with other case-based foster care and adoption data collected by the Secretary;

(2) annually compile and analyze research on child abuse and neglect and publish a summary of such research;

BEST COPY AVAILABLE

(3) compile, evaluate, publish, and disseminate to the States and to the clearinghouse, established under section 104, materials and information designed to assist the States in developing, establishing, and operating the programs described in section 109, including an evaluation of -

(A) various methods and procedures for the investigation and prosecution of child physical and sexual abuse cases; and

(B) resultant psychological trauma to the child victim;

(4) compile, publish, and disseminate training materials -

(A) for persons who are engaged in or intend to engage in the prevention, identification, and treatment of child abuse and neglect; and

(B) to appropriate State and local officials to assist in training law enforcement, legal, judicial, medical, mental health, and child welfare personnel in appropriate methods of interacting during investigative, administrative, and judicial proceedings with children who have been subjected to abuse; and

(5) establish model information collection systems, in consultation with appropriate State and local agencies and professionals.

(c) Provision of Technical Assistance. - The Secretary shall, through the Center, provide technical assistance to public and non-profit private agencies and organizations, including disability organizations and persons who work with children with disabilities, to assist such agencies and organizations in planning, improving, developing and carrying out programs and activities relating to the prevention, identification, and treatment of child abuse and neglect.

(d) Authority to Make Grants or Enter into Contracts. -

(1) In General. - The functions of the Secretary under this section may be carried out either directly or through grant or contract.

(2) Duration. - Grants under this section shall be made for periods of not more than 5 years. The Secretary shall review each such grant at least annually, utilizing peer review mechanisms to assure the quality and progress of research conducted under such grant.

(3) Preference for Long-Term Studies. - In making grants for purposes of conducting research under subsection (a), the Secretary shall give special consideration to applications for long-term projects.

(e) Peer Review for Grants. -

(1) Establishment of Peer Review Process. -

(A) The Secretary shall establish a formal peer review process for purposes of evaluating and reviewing applications for grants and contracts under this section and determining the relative merits of the projects for which such assistance is requested.

(B) In establishing the process required by subparagraph (A), the Secretary shall appoint to the peer review panels only members who are experts in the field of child abuse and neglect or related disciplines, with appropriate expertise in the application to be reviewed, and who are not individuals who are officers or employees of the Office of Human Development. The panels shall meet as often as is necessary to facilitate the expeditious review of applications for grants and contracts under this section, but may not meet less than once a year.

(2) Review of Applications for Assistance. - Each peer review panel established under paragraph (1)(A) that reviews any application for a grant, contract, or other financial assistance shall -

(A) determine and evaluate the merit of each project described in such application; and

(B) rank such application with respect to all other applications it reviews in the same priority area for the fiscal year involved, according to the relative merit of all of the projects that are described in such application and for which financial assistance is requested; and

(C) make recommendations to the Secretary concerning whether the application for the project shall be approved.

(3) Notice of Approval. -

(A) The Secretary shall provide grants and contracts under this section from among the projects which the peer review panels established under paragraph (1)(A) have determined to have merit.

(B) In the instance in which the Secretary approves an application for a program without having approved all applications ranked above such application (as determined under subsection (e)(2)(B)), the Secretary shall append to the approved application a detailed explanation of the reasons relied on for approving the application and for failing to approve each pending application that is superior in merit, as indicated on the list under subsection (e)(2)(B).

GRANTS TO PUBLIC AGENCIES AND NONPROFIT PRIVATE ORGANIZATIONS FOR DEMONSTRATION OR SERVICE PROGRAMS AND PROJECTS

Sec. 106. [42 U.S.C. 5106]

(a) General Authority. -

(1) Demonstration or service programs and projects. - The Secretary, through the Center, shall, in accordance with subsections (b) and (c), make grants to, and enter into contracts with, public agencies or nonprofit private organizations (or combinations of such agencies or organizations) for demonstration or service programs and projects designed to prevent, identify, and treat child abuse and neglect.

(2) Evaluations. - In making grants or entering into contracts for demonstration projects, the Secretary shall require all such projects to be evaluated for their effectiveness. Funding for such evaluations shall be provided either as a stated percentage of a demonstration grant or contract, or as a separate grant or contract entered into by the Secretary for the purpose of evaluating a particular demonstration project or group of projects.

(b) Grants for Resource Centers. - The Secretary shall, directly or through grants or contracts with public or private nonprofit organizations under this section, provide for the establishment of resource centers -

(1) serving defined geographic areas;

(2) staffed by multidisciplinary teams of personnel trained in the prevention, identification, and treatment of child abuse and neglect; and

(3) providing advice and consultation to individuals, agencies, and organizations which request such services.

(c) Discretionary Grants. - In addition to grants or contracts made under subsection (b), grants or contracts under this section may be used for the following:

(1) Training programs -

(A) for professional and paraprofessional personnel in the fields of medicine, law, education, social work, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of child abuse and neglect; or

(B) to provide culturally specific instruction in methods of protecting children from child abuse and neglect to children and to persons responsible for the welfare of children, including parents of and persons who work with children with disabilities; or

(C) to improve the recruitment, selection, and training of volunteers serving in private and public nonprofit children, youth and family service organizations in order to prevent child abuse and neglect through collaborative analysis of current recruitment, selection, and training programs and development of model programs for dissemination and replication nationally.

(2) Such other innovative programs and projects as the Secretary may approve, including programs and projects for parent self-help, for prevention and treatment of alcohol and drug-related child abuse and neglect, and for home health visitor programs designed to reach parents of children in populations in which risk is high, that show promise of successfully preventing and treating cases of child abuse and neglect, and for a parent self-help program of demonstrated effectiveness which is national in scope.

BEST COPY AVAILABLE

(3) Projects which provide educational identification, prevention, and treatment services in cooperation with preschool and elementary and secondary schools.

(4) Respite and crisis nursery programs provided by community-based organizations under the direction and supervision of hospitals.

(5) Respite and crisis nursery programs provided by community-based organizations.

(6) (A) Providing hospital-based information and referral services to -
  (i) parents of children with disabilities; and
  (ii) children who have been neglected or abused and their parents.

(B) Except as provided in subparagraph (C)(iii), services provided under a grant received under this paragraph shall be provided at the hospital involved -
  (i) upon the birth or admission of a disabled child; and
  (ii) upon the treatment of a child for abuse or neglect.

(C) Services, as determined as appropriate by the grantee, provided under a grant received under this paragraph shall be hospital-based and shall consist of -
  (i) the provision of notice to parents that information relating to community services is available;
  (ii) the provision of appropriate information to parents of a child with disabilities regarding resources in the community, particularly parent training resources, that will assist such parents in caring for their child;
  (iii) the provision of appropriate information to parents of a child who has been neglected or abused regarding resources in the community, particularly parent training resources, that will assist such parents in caring for their child and reduce the possibility of abuse or neglect;
  (iv) the provision of follow-up services to parents of a child described in subparagraph (B) after the child has left the hospital; and
  (v) where necessary, assistance in coordination of community services available to parents of children described in subparagraph (B).

The grantee shall assure that parental involvement described in this subparagraph is voluntary.

(D) For purposes of this paragraph, a qualified grantee is a nonprofit acute care hospital that -
  (i) is in a combination with -
    (I) a health-care provider organization;
    (II) a child welfare organization;
    (III) a disability organization; and
    (IV) a State child protection agency;
  (ii) submits an application for a grant under this paragraph that is approved by the Secretary;
  (iii) maintains an office in the hospital involved for purposes of providing services under such grant;
  (iv) provides assurances to the Secretary that in the conduct of the project the confidentiality of medical, social and personal information concerning any person described in subparagraph (A) or (B) shall be maintained, and shall be disclosed only to qualified persons providing required services described in subparagraph (C) for purposes relating to conduct of the project; and
  (v) assumes legal responsibility for carrying out the terms and conditions of the grant.

(E) In awarding grants under this paragraph, the Secretary shall -
  (i) give priority under this section for two grants under this paragraph, provided that one grant shall be made to provide services in an urban setting and one grant shall be made to provide services in a rural setting; and
  (ii) encourage qualified grantees to combine the amounts received under the grant with other funds available to such grantees.

(7) Such other innovative programs and projects that show promise of preventing and treating cases of child abuse and neglect as the Secretary may approve.

GRANTS TO STATES FOR CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAMS

Sec. 107. [42 U.S.C. 5106a]

(a) Development and Operation Grants. - The Secretary, acting through the Center, shall make grants to the States, based on the population of children under the age of 18 in each State that applies for a grant under this section, for purposes of assisting the States in improving the child protective service system of each such State in -

(1) the intake and screening of reports of abuse and neglect through the improvement of the receipt of information, decision making, public awareness, and training of staff;

(2) (A) investigating such reports through improving response time, decision making, referral to services, and training of staff;

(B) creating and improving the use of multidisciplinary teams and interagency protocols to enhance investigations; and

(C) improving legal preparation and representation;

(3) case management and delivery services provided to families through the improvement of response time in service provision, improving the training of staff, and increasing the numbers of families to be served;

(4) enhancing the general child protective system by improving assessment tools, automation systems that support the program, information referral systems, and the overall training of staff to meet minimum competencies; or

(5) developing, strengthening, and carrying out child abuse and neglect prevention, treatment, and research programs.

Not more than 15 percent of a grant under this subsection may be expended for carrying out paragraph (5). The preceding sentence does not apply to any program or activity authorized in any of paragraphs (1) through (4).

(b) Eligibility Requirements. - In order for a State to qualify for a grant under subsection (a), such State shall -

(1) have in effect a State law relating to child abuse and neglect, including -

(A) provisions for the reporting of known and suspected instances of child abuse and neglect, and

(B) provisions for immunity from prosecution under State and local laws for persons who report instances of child abuse or neglect for circumstances arising from such reporting;

(2) provide that upon receipt of a report of known or suspected instances of child abuse or neglect an investigation shall be initiated promptly to substantiate the accuracy of the report, and, upon a finding of abuse or neglect, immediate steps shall be taken to protect the health and welfare of the abused or neglected child and of any other child under the same care who may be in danger of abuse or neglect;

(3) demonstrate that there are in effect throughout the State, in connection with the enforcement of child abuse and neglect laws and with the reporting of suspected instances of child abuse and neglect, such -

(A) administrative procedures;
(B) personnel trained in child abuse and neglect prevention and treatment;
(C) training procedures;
(D) institutional and other facilities (public and private); and
(E) such related multidisciplinary programs and services;

as may be necessary or appropriate to ensure that the State will deal effectively with child abuse and neglect cases in the State;

BEST COPY AVAILABLE

(4) provide for -

(A) methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including methods to insure that disclosure (and redisclosure) of information concerning child abuse or neglect involving specific individuals is made only to persons or entities that the State determines have a need for such information directly related to purposes of this Act; and

(B) requirements for the prompt disclosure of all relevant information to any Federal, State, or local governmental entity, or any agent of such entity, with a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;

(5) provide for the cooperation of law enforcement officials, courts of competent jurisdiction, and appropriate State agencies providing human services;

(6) provide that in every case involving an abused or neglected child which results in a judicial proceeding a guardian ad litem shall be appointed to represent the child in such proceedings;

(7) provide that the aggregate of support for programs or projects related to child abuse and neglect assisted by State funds shall not be reduced below the level provided during fiscal year 1973, and set forth policies and procedures designed to ensure that Federal funds made available under this Act for any fiscal year shall be so used as to supplement and, to the extent practicable, increase the level of State funds which would, in the absence of Federal funds, be available for such programs and projects;

(8) provide for dissemination of information, including efforts to encourage more accurate reporting, to the general public with respect to the problem of child abuse and neglect and the facilities and prevention and treatment methods available to combat instances of child abuse and neglect;

(9) to the extent feasible, ensure that parental organizations combating child abuse and neglect receive preferential treatment; and

(10) have in place for the purpose of responding to the reporting of medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions), procedures or programs, or both (within the State child protective services system), to provide for -

(A) coordination and consultation with individuals designated by and within appropriate health-care facilities;

(B) prompt notification by individuals designated by and within appropriate health-care facilities of cases of suspected medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions); and

(C) authority, under State law, for the State child protective service system to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, as may be necessary to prevent the withholding of medically indicated treatment from disabled infants with life-threatening conditions.

(c) STATE PROGRAM PLAN. - To be eligible to receive a grant under this section, a State shall submit every four years a plan to the Secretary that specifies the child protective service system area or areas described in subsection (a) that the State intends to address with funds received under the grant. The plan shall describe the current system capacity of the State in the relevant area or areas from which to assess programs with grant funds and specify the manner in which funds from the State's programs will be used to make improvements. The plan required under this subsection shall contain, with respect to each area in which the State intends to use funds from the grant, the following information with respect to the State:

(1) INTAKE AND SCREENING. -

(A) STAFFING. - The number of child protective service workers responsible for the intake and screening of reports of abuse and neglect relative to the number of reports filed in the previous year.

(B) TRAINING. - The types and frequency of pre-service and in-service training programs available to support direct line and supervisory personnel in report-taking, screening, decision-making, and referral for investigation.

(C) PUBLIC EDUCATION. - An assessment of the State or local agency's public education program with respect to--

(i) what is child abuse and neglect;
(ii) who is obligated to report and who may choose to report; and
(iii) how to report.

(2) INVESTIGATION OF REPORTS. -

(A) RESPONSE TIME. - The number of reports of child abuse and neglect filed in the State in the previous year where appropriate, the agency response time to each with respect to initial investigation, the number of substantiated and unsubstantiated reports, and where appropriate, the response time with respect to the provision of services.

(B) STAFFING. - The number of child protective service workers responsible for the investigation of child abuse and neglect reports relative to the number of reports investigated in the previous year.

(C) INTERAGENCY COORDINATION. - A description of the extent to which interagency coordination processes exist and are available Statewide, and whether protocols or formal policies governing interagency relationships exist in the following areas -

(i) multidisciplinary investigation teams among child welfare and law enforcement agencies;

(ii) interagency coordination for the prevention, intervention and treatment of child abuse and neglect among agencies responsible for child protective services, criminal justice, schools, health, mental health, and substance abuse; and

(iii) special interagency child fatality review panels, including a listing of those agencies that are involved.

(D) TRAINING. - The types and frequency of pre-service and in-service training programs available to support direct line and supervisory personnel in such areas as investigation, risk assessment, court preparation, and referral to and provision of services.

(E) LEGAL REPRESENTATION. - A description of the State agency's current capacity for legal representation, including the manner in which workers are prepared and trained for court preparation and attendance, including procedures for appealing substantiated reports of abuse and neglect.

(3) CASE MANAGEMENT AND DELIVERY OF ONGOING FAMILY SERVICES. - For children for whom a report of abuse and neglect has been substantiated and the children remain in their own homes and are not currently at risk of removal, the State shall assess the activities and the outcomes of the following services:

(A) RESPONSE TIME. - The number of cases opened for services as a result of investigation of child abuse and neglect reports filed in the previous year, including the response time with respect to the provision of services from the time of initial report and initial investigation.

(B) STAFFING. - The number of child protective service workers responsible for providing services to children and their families in their own homes as a result of investigation of reports of child abuse and neglect.

(C) TRAINING. - The types and frequency of pre-service and in-service training programs available to support direct line and supervisory personnel in such areas as risk assessment, court preparation, provision of services and determination of case disposition, including how such training is evaluated for effectiveness.

(D) INTERAGENCY COORDINATION. - The extent to which treatment services for the child and other family members are coordinated with child welfare, social service, mental health, education, and other agencies.

(4) GENERAL SYSTEM ENHANCEMENT. -

(A) AUTOMATION. - A description of the capacity of current automated systems for tracking reports of child abuse and neglect from intake through final disposition and how personnel are trained in the use of such system.

(B) ASSESSMENT TOOLS. - A description of whether, how, and what risk assessment tools are used for screening reports of abuse and neglect, determining whether child abuse and neglect has occurred, and assessing the appropriate level of State agency protection and intervention, including the extent to which such tool is used statewide and how workers are trained in its use.

BEST COPY AVAILABLE

(C) INFORMATION AND REFERRAL. - A description and assessment of the extent to which a State has in place--

(i) information and referral systems, including their availability and ability to link families to various child welfare services such as homemakers, intensive family-based services, emergency caretakers, home health visitors, daycare and services outside the child welfare system such as housing, nutrition, health care, special education, income support, and emergency resource assistance; and

(ii) efforts undertaken to disseminate to the public information concerning the problem of child abuse and neglect and the prevention and treatment programs and services available to combat instances of such abuse and neglect.

(D) STAFF CAPACITY AND COMPETENCE. - An assessment of basic and specialized training needs of all staff and current training provided staff. Assessment of the competencies of staff with respect to minimum knowledge in areas such as child development, cultural and ethnic diversity, functions and relationship of other systems to child protective services and in specific skills such as interviewing, assessment, and decision making relative to the child and family, and the need for training consistent with such minimum competencies.

(5) INNOVATIVE APPROACHES. - A description of -

(A) research and demonstration efforts for developing, strengthening, and carrying out child abuse and neglect prevention, treatment, and research programs, including the interagency efforts at the State level; and

(B) the manner in which proposed research and development activities build on existing capacity in the programs being addressed.

(d) Waivers. -

(1) General Rule. - Subject to paragraph (3) of this subsection, any State which does not qualify for assistance under this subsection may be granted a waiver of any requirement under paragraph (2) of this subsection -

(A) for a period of not more than one year, if the Secretary makes a finding that such State is making a good faith effort to comply with any such requirement, and for a second one-year period if the Secretary makes a finding that such State is making substantial progress to achieve such compliance; or

(B) for a nonrenewable period of not more than two years in the case of a State the legislature of which meets only biennially, if the Secretary makes a finding that such State is making a good faith effort to comply with such requirement.

(2) Extension. -

(A) Subject to paragraph (3) of this subsection, any State whose waiver under paragraph (1) expired as of the end of fiscal year 1986 may be granted an extension of such waiver, if the Secretary makes a finding that such State is making a good faith effort to comply with the requirements under subsection (b) of this section -

(i) through the end of fiscal year 1988; or

(ii) in the case of a State the legislature of which meets biennially, through the end of the fiscal year 1989 or the end of the next regularly scheduled session of such legislature, whichever is earlier;

(B) This provision shall be effective retroactively to October 1, 1986.

(3) Requirements Under Subsection (b)(10). - No waiver under paragraph (1) or (2) may apply to any requirement under subsection (b)(10) of this section.

(e) Reduction of Funds In Case of Failure to Obligate. - If a State fails to obligate funds awarded under subsection (a) before the expiration of the 18-month period beginning on the date of such award, the next award made to such State under this section after the expiration of such period shall be reduced by an amount equal of the amount of such unobligated funds unless the Secretary determines that extraordinary reasons justify the failure to so obligate.

(f) Restrictions Relating to Child Welfare Services. - Programs or projects relating to child abuse and neglect assisted under Part B of Title IV of the Social Security Act shall comply with the requirements set forth in paragraphs (1)(A), (2), (4), (5), and (10) of subsection (b).

(g) Compliance and Education Grants. - The Secretary is authorized to make grants to the States for purposes of developing, implementing, or operating -

(1) the procedures or programs required under subsection (b)(10);

(2) information and education programs or training programs designed to improve the provision of services to disabled infants with life-threatening conditions for -

(A) professional and paraprofessional personnel concerned with the welfare of disabled infants with life-threatening conditions, including personnel employed in child protective services programs and health-care facilities; and

(B) the parents of such infants; and

(3) programs to assist in obtaining or coordinating necessary services for families of disabled infants with life-threatening conditions, including -

(A) existing social and health services;

(B) financial assistance; and

(C) services necessary to facilitate adoptive placement of any such infants who have been relinquished for adoption.

EMERGENCY CHILD ABUSE PREVENTION SERVICES GRANT

Sec. 107A. [42 U.S.C. 5106a-1]

(a) Establishment. - The Secretary shall establish a grant program to make grants to eligible entities to enable such entities to provide services to children whose parents are substance abusers.

(b) Eligible Entities. - Entities eligible to receive a grant under this section shall be -

(1) State and local agencies that are responsible for administering child abuse or related child abuse intervention services; and

(2) Community and mental health agencies and nonprofit youth-serving organizations with experience in providing child abuse prevention services.

(c) Application. -

(1) In General. - To be eligible to receive a grant under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may by regulation require.

(2) Assurance of Use. - An application submitted under paragraph (1) shall -

(A) contain an assurance that the applicant operates in a geographic area where child abuse has placed substantial strains on State and local agencies and has resulted in substantial increases in the need for services that cannot be met without funds available under this section;

(B) identify the responsible agency or agencies that will be involved in the use of funds provided under this section;

(C) contain a description of emergency situations with regard to children of substance abusers who need services of the type described in this section;

(D) contain a plan for improving the delivery of such services to such children;

(E) contain assurances that such services will be provided in a comprehensive multi-disciplinary and coordinated manner; and

(F) contain any additional information as the Secretary may reasonably require.

BEST COPY AVAILABLE

(d) Use of Funds. - Funds received by an entity under this section shall be used to improve the delivery of services to children whose parents are substance abusers. Such services may include -

(1) the hiring of additional personnel by the entity to reduce caseloads;

(2) the provision of additional training for personnel to improve their ability to provide emergency child abuse prevention services related to substance abuse by the parents of such children;

(3) the provision of expanded services to deal with family crises created by substance abuse; and

(4) the establishment or improvement of coordination between the agency administering the grant, and -

(A) child advocates;
(B) public educational institutions;
(C) community-based organizations that serve substance abusing parents, including pregnant and post-partum females and their infants; and
(D) parents and representatives of parent groups and related agencies.

(e) Authorization of Appropriations. - There are authorized to be appropriated to carry out this section, $40,000,000 for fiscal year 1990, such sums as may be necessary for fiscal year 1991, $40,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.

TECHNICAL ASSISTANCE TO STATES FOR CHILD ABUSE PREVENTION AND TREATMENT PROGRAMS

Sec. 108. [42 U.S.C. 5106b]

(a) Training and Technical Assistance. - The Secretary shall provide, directly or through grants or contracts with public or private nonprofit organizations, for -

(1) training and technical assistance programs to assist States in developing, implementing, or operating programs and procedures meeting the requirements of section 107(b)(10); and

(2) the establishment and operation of national and regional information and resource clearinghouses for the purpose of providing the most current and complete information regarding medical treatment procedures and resources and community resources for the provision of services and treatment to disabled infants with life-threatening conditions, including -

(A) compiling, maintaining, updating, and disseminating regional directories of community services and resources (including the names and phone numbers of State and local medical organizations) to assist parents, families, and physicians; and
(B) attempting to coordinate the availability of appropriate regional education resources for health-care personnel.

(b) Limitation on Funding. - Not more than $1,000,000 of the funds appropriated for any fiscal year for purposes of carrying out this title may be used to carry out this section.

GRANTS TO STATES FOR PROGRAMS RELATING TO THE INVESTIGATION AND PROSECUTION OF CHILD ABUSE AND NEGLECT CASES.

Sec. 109. [42 U.S.C. 5106c]

(a) Grants to States. - The Secretary, acting through the Center and in consultation with the Attorney General, is authorized to make grants to the States for the purpose of assisting States in developing, establishing, and operating programs designed to improve -

(1) the handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child victim;

(2) the handling of cases of suspected child abuse or neglect related fatalities; and

(3) the investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation.

(b) Eligibility Requirements. - In order for a State to qualify for assistance under this section, such State shall -

(1) fulfill the requirements of sections 107(b);

(2) establish a task force as provided in subsection (c);

(3) fulfill the requirements of subsection (d);

(4) submit annually an application to the Secretary at such time and containing such information and assurances as the Secretary considers necessary, including an assurance that the State will -

(A) make such reports to the Secretary as may reasonably be required; and
(B) maintain and provide access to records relating to activities under subsections (a) and (b); and

(5) submit annually to the Secretary a report on the manner in which assistance received under this program was expended throughout the State, with particular attention focused on the areas described in paragraphs (1) through (3) of subsection (a).

(c) State Task Forces. -

(1) General Rule. - Except as provided in paragraph (2), a State requesting assistance under this section shall establish or designate and maintain a State multidisciplinary task force on children's justice (hereinafter referred to as State task force) composed of professionals with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities. The State task force shall include -

(A) individuals representing the law enforcement community;
(B) judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect (including individuals involved with the defense as well as the prosecution of such cases);
(C) child advocates, including both attorneys for children and, where such programs are in operation, court appointed special advocates;
(D) health and mental health professionals;
(E) individuals representing child protective service agencies;
(F) individuals experienced in working with children with disabilities; and
(G) representatives of parents' groups.

(2) Existing Task Force. - As determined by the Secretary, a State commission or task force established after January 1, 1983, with substantially comparable membership and functions, may be considered the State task force for the purposes of this subsection.

(d) State Task Force Study. - Before a State receives assistance under this section, and at three year intervals thereafter, the State task force shall comprehensively -

(1) review and evaluate State investigative, administrative and both civil and criminal judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, Federal-State, and State-Tribal; and

(2) make policy and training recommendations in each of the categories described in subsection (e).

The task force may make such other comments and recommendations as are considered relevant and useful.

BEST COPY AVAILABLE

(e) Adoption of State Task Force Recommendations. -

(1) General Rule. - Subject to the provisions of paragraph (2), before a State receives assistance under this section, a State shall adopt recommendations of the State task force in each of the following categories -

(A) investigative, administrative, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, Federal-State, and State-Tribal, in a manner which reduces the additional trauma to the child victim and the victim's family;

(B) experimental, model and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, particularly child sexual abuse cases, and which also ensure procedural fairness to the accused; and

(C) reform of State laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly child sexual abuse and exploitation, while ensuring fairness to all affected persons.

(2) Exemption. - As determined by the Secretary, a State shall be considered to be in fulfillment of the requirements of this subsection if -

(A) the State adopts an alternative to the recommendations of the State task force, which carries out the purpose of this section, in each of the categories under paragraph (1) for which the State task force's recommendations are not adopted; or

(B) the State is making substantial progress toward adopting recommendations of the State task force or a comparable alternative to such recommendations.

(f) Funds Available. - For grants under this section, the Secretary shall use the amount authorized by section 1404A of the Victims of Crime Act of 1984.

MISCELLANEOUS REQUIREMENTS RELATING TO ASSISTANCE

Sec. 110. [42 U.S.C. 5106d]

(a) Construction of Facilities. -

(1) Restriction on Use of Funds. - Assistance provided under this Act may not be used for construction of facilities.

(2) Lease, Rental or Repair. - The Secretary may authorize the use of funds received under this Act -

(A) where adequate facilities are not otherwise available, for the lease or rental of facilities; or

(B) for the repair or minor remodeling or alteration of existing facilities.

(b) Geographical Distribution. - The Secretary shall establish criteria designed to achieve equitable distribution of assistance under this Act among the States, among geographic areas of the Nation, and among rural and urban areas of the Nation. To the extent possible, the Secretary shall ensure that the citizens of each State receive assistance from at least one project under this Act.

(c) Prevention Activities. - The Secretary, in consultation with the task force and the board, shall ensure that a majority share of assistance under this Act is available for discretionary research and demonstration grants.

(d) Limitation. - No funds appropriated for any grant or contract pursuant to authorizations made in this Act may be used for any purpose other than that for which such funds were authorized to be appropriated.

COORDINATION OF CHILD ABUSE AND NEGLECT PROGRAMS

Sec. 111. [42 U.S.C. 5106e] The Secretary shall prescribe regulations and make such arrangements as may be necessary or appropriate to ensure that there is effective coordination among programs related to child abuse and neglect under this Act and other such programs which are assisted by Federal funds.

REPORTS

Sec. 112. [42 U.S.C. 5106f]

(a) Coordination Efforts. - Not later than March 1 of the second year following the date of enactment of the Child Abuse Prevention, Adoption and Family Services Act of 1988 and every 2 years thereafter, the Secretary shall submit to the appropriate committees of Congress a report on efforts during the 2-year period preceding the date of the report to coordinate the objectives and activities of agencies and organizations which are responsible for programs and activities related to child abuse and neglect.

(b) Effectiveness of State Programs and Technical Assistance. - Not later than two years after the first fiscal year for which funds are obligated under section 1404A of the Victims of Crime Act of 1984, the Secretary shall submit to the appropriate committees of Congress a report evaluating the effectiveness of -

(1) assisted programs in achieving the objectives of section 109; and

(2) the technical assistance provided under section 108.

DEFINITIONS

Sec. 113. [42 U.S.C. 5106g] For purposes of this title -

(1) the term "board" means the Advisory Board on Child Abuse and Neglect established under section 102;

(2) the term "Center" means the National Center on Child Abuse and Neglect established under section 101;

(3) the term "child" means a person who has not attained the lesser of -

(A) the age of 18; or
(B) except in the case of sexual abuse, the age specified by the child protection law of the State in which the child resides;

(4) the term "child abuse and neglect" means the physical or mental injury, sexual abuse or exploitation, negligent treatment, or maltreatment of a child by a person who is responsible for the child's welfare, under circumstances which indicate that the child's health or welfare is harmed or threatened thereby, as determined in accordance with regulations prescribed by the Secretary;

(5) the term "person who is responsible for the child's welfare" includes -

(A) any employee of a residential facility; and
(B) any staff person providing out-of-home care;

(6) the term "Secretary" means the Secretary of Health and Human Services;

(7) the term "sexual abuse" includes -

(A) the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or
(B) the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children;

BEST COPY AVAILABLE

(8) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands;

(9) the term "task force" means the Inter-Agency Task Force on Child Abuse and Neglect established under section 103; and

(10) the term "withholding of medically indicated treatment" means the failure to respond to the infant's life-threatening conditions by providing treatment (including appropriate nutrition, hydration, and medication) which, in the treating physician's or physicians' reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all such conditions, except that the term does not include the failure to provide treatment (other than appropriate nutrition, hydration, or medication) to an infant when, in the treating physician's or physicians' reasonable medical judgment -

(A) the infant is chronically and irreversibly comatose;
(B) the provision of such treatment would -
(i) merely prolong dying;
(ii) not be effective in ameliorating or correcting all of the infant's life-threatening conditions; or
(iii) otherwise be futile in terms of the survival of the infant; or
(C) the provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment itself under such circumstances would be inhumane.

AUTHORIZATION OF APPROPRIATIONS

Sec. 114. [42 U.S.C. 5106h]

(a) IN GENERAL. -

(1) AUTHORIZATION. - There are authorized to be appropriated to carry out this title, except for section 107A, $100,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.

(2) ALLOCATIONS. -

(A) Of the amounts appropriated under paragraph (1) for a fiscal year, $5,000,000 shall be available for the purpose of making additional grants to the States to carry out the provisions of section 107(g).
(B) Of the amounts appropriated under paragraph (1) for a fiscal year and available after compliance with subparagraph (A) -
(i) 33 1/3 percent shall be available for activities under sections 104, 105 and 106; and
(ii) 66 2/3 percent of such amounts shall be made available in each such fiscal year for activities under sections 107 and 108.

(b) Availability of Funds Without Fiscal Year Limitation. - The Secretary shall ensure that funds appropriated pursuant to authorizations in this title shall remain available until expended for the purposes for which they were appropriated.

TITLE II - COMMUNITY-BASED CHILD ABUSE AND NEGLECT PREVENTION GRANTS

Sec. 201. [42 U.S.C. 5116] PURPOSES.

It is the purpose of this title, through the provision of community-based child abuse and neglect prevention grants, to assist States in supporting child abuse and neglect prevention activities.

DEFINITIONS

Sec. 202. [42 U.S.C. 5116a]

As used in this title -

(1) the term "Secretary" means the Secretary of Health and Human Services; and

(2) the term "State" means any of the several States, the District of Columbia, the Virgin Islands of the United States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, or Palau.

GRANTS AUTHORIZED

Sec. 203. [42 U.S.C. 5116b]

(a) In General. - The Secretary is authorized, in accordance with the provisions of this title, to make grants to eligible States.

(b) Authorization of Appropriations. - For the purpose of carrying out this title, there are authorized to be appropriated $45,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.

STATE ELIGIBILITY

Sec. 204. [42 U.S.C. 5116c]

Any State is eligible for a grant under this title for any fiscal year if such State has established or maintained in the previous fiscal year a trust fund, including appropriations, which includes (in whole or in part) legislative provisions making funding available only for the broad range of child abuse and neglect prevention activities.

LIMITATIONS

Sec. 205. [42 U.S.C. 5116d]

(a) Amount of Grant. -

(1) ALLOTMENT FORMULA. -

(A) IN GENERAL. - Amounts appropriated to provide grants under this title shall be allotted among eligible States in each fiscal year so that -

(i) 50 percent of the total amount appropriated is allotted among each State based on the number of children under the age of 18 in each such State, except that each State shall receive not less than $30,000; and

(ii) the remaining 50 percent of the total amount appropriated is allotted in an amount equal to 25 percent of the total amount collected by each such State, in the fiscal year prior to the fiscal year for which the allotment is being determined, for the children's trust fund of the State for child abuse and neglect prevention activities.

(B) USE OF AMOUNTS.--Not less than 50 percent of the amount of a grant made to a State under this title in each fiscal year shall be utilized to support community-based prevention programs as authorized in section 204(a), except that this subparagraph shall not become applicable until amounts appropriated under section 203(b) exceed $10,000,000.

(2) Definition. - For purposes of paragraph (1)(B), the term "children" means individuals who have not attained the age of majority, as defined by such State.

BEST COPY AVAILABLE

(b) Application. -

(1) Requirements. - No grant may be made to any eligible State unless an application is made to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary deems essential to carry out the purposes and provisions of this title. Each application shall -

(A) specify that the trust fund advisory board, or in States without a trust fund mechanism, the State liaison agency to the National Center on Child Abuse and Neglect, established by section 101, will be responsible for administering and awarding of the Federal grants to eligible recipients carrying out activities described in section 204;

(B) demonstrate coordination with other child abuse and neglect prevention activities and agencies at the State and local levels;

(C) demonstrate the outcome of services and activities funded under this title;

(D) provide evidence that Federal assistance received under this title has been supplemented with non-Federal public and private assistance (including in-kind contributions) at the local level (Federal assistance expended in support of activities authorized under paragraphs (1), (2), and (3) of section 204 shall be supplemented by State assistance);

(E) demonstrate the extent to which funds received under this title are used to support community prevention activities in underserved areas, in which case the supplemental support required under subparagraph (D) shall be waived for the first 3 years in which assistance is provided to a grantee described in this subparagraph;

(F) provide assurances that any assistance received under this title shall not be used as a source for non-Federal funds for the matching requirements of any other provision of Federal law; and

(G) provide for keeping records and making such reasonable reports as the Secretary deems essential to carry out the purposes and provisions of this title.

(2) Approval - The Secretary shall approve any application that meets the requirements of this subsection, and the Secretary shall not disapprove any such application except after reasonable notice of the Secretary's intention to disapprove and opportunity for a hearing with respect to the disapproval.

WITHHOLDING

Sec. 206. [42 U.S.C. 5116e]

Whenever the Secretary, after reasonable notice to any State and opportunity for hearing within the State, finds that there has been a failure to comply with any provision of this title, the Secretary shall notify the State that further payments will not be made under this title until the Secretary is satisfied that there is no longer any such failure to comply. Until the Secretary is so satisfied, no further payments shall be made under this title.

AUDIT

Sec. 207. [42 U.S.C. 5116f]

The Comptroller General of the United States, and any of his duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any applicant and any other entity receiving assistance under this title that are pertinent to the sums received and disbursed under this title.

REPORT

Sec. 208. [42 U.S.C. 5116g]

The Secretary shall prepare and submit to the Congress at the end of each year a compilation and analysis of any reports submitted by eligible States under section 205(b)(1)(C).

TITLE III - CERTAIN PREVENTIVE SERVICES REGARDING CHILDREN OF HOMELESS FAMILIES OR FAMILIES AT RISK OF HOMELESSNESS

DEMONSTRATION GRANTS FOR PREVENTION OF INAPPROPRIATE SEPARATION FROM FAMILY AND FOR PREVENTION OF CHILD ABUSE AND NEGLECT

Sec. 301.

(a) Establishment of Program. - The Secretary may make grants to entities described in subsection (b)(1) for the purpose of assisting such entities in demonstrating, with respect to children whose families are homeless or at risk of becoming homeless, the effectiveness of activities undertaken to prevent -

(1) the inappropriate separation of such children from their families on the basis of homelessness or other problems regarding the availability and conditions of housing for such families; and

(2) the abuse and neglect of such children.

(b) Minimum Qualifications of Grantees. -

(1) In general. - The entities referred to in subsection (a) are State and local agencies that provide services in geographic areas described in paragraph (2), and that have authority -

(A) for removing children, temporarily or permanently, from the custody of the parents (or other legal guardians) of such children and placing such children in foster care or other out-of-home care; or

(B) in the case of youths not less than 16 years of age for whom such a placement has been made, for assisting such youths in preparing to be discharged from such care into circumstances of providing for their own support.

(2) Eligible geographic areas. - The geographic areas referred to in paragraph (1) are geographic areas in which homelessness and other housing problems are -

(A) threatening the well-being of children; and
(B) (i) contributing to the placement of children in out-of-home care;
(ii) preventing the reunification of children with their families; or
(iii) in the case of youths not less than 16 years of age who have been placed in out-of-home care, preventing such youths from being discharged from such care into circumstances of providing their own support without adequate living arrangements.

(3) Cooperation with appropriate public and private entities. - The Secretary shall not make a grant under subsection (a) unless the agency involved has entered into agreements with appropriate entities in the geographic area involved (including child welfare agencies, public housing agencies, and appropriate public and nonprofit private entities that provide services to homeless families) regarding the joint planning, coordination and delivery of services under the grant.

(c) Requirement of Matching Funds. -

(1) In general.- The Secretary shall not make a grant under subsection (a) unless the agency involved agrees that, with respect to the costs to be incurred by such agency in carrying out the purpose described in such subsection, the agency will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount equal to not less than $1 for each $4 of Federal funds provided in such grant.

(2) Determination of amount of non-federal contribution. - Non-Federal contributions required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, shall not be included in determining the amount of such non-Federal contributions.

BEST COPY AVAILABLE

PROVISIONS WITH RESPECT TO CARRYING OUT PURPOSE OF DEMONSTRATION GRANTS

Sec. 302.

(a) Joint Training of Appropriate Service Personnel. -

(1) In general. - The Secretary shall not make a grant under section 301(a) unless the agency involved agrees to establish, with respect to the subjects described in paragraph (2), a program for joint training concerning such subjects, for appropriate personnel of child welfare agencies, public housing agencies, and appropriate public and private entities that provide services to homeless families.

(2) Specification of training subjects. - The subjects referred to in paragraph (1) are -

(A) the relationship between homelessness, and other housing problems, and the initial and prolonged placement of children in out-of-home care;

(B) the housing-related needs of families with children who are at risk of placement in out-of-home care; and

(C) resources (including housing-related assistance) that are available to prevent the initial or prolonged placement in out-of-home care of children whose families are homeless or who have other housing problems.

(b) Additional Authorized Activities. - In addition to activities authorized in subsection (a), a grantee under section 301(a) may expend grant funds for -

(1) the hiring of additional personnel to provide assistance in obtaining appropriate housing--

(A) to families whose children are at imminent risk of placement in out-of-home care or who are awaiting the return of children placed in such care; and

(B) to youth who are preparing to be discharged from such care into circumstances of providing for their own support;

(2) training and technical assistance for the personnel of shelters and other programs for homeless families (including domestic violence shelters) to assist such programs -

(A) in the prevention and identification of child abuse and neglect among the families the programs served; and

(B) in obtaining appropriate resources for families who need social services, including supportive services and respite care;

(3) the development and dissemination of informational materials to advise homeless families with children and others who are seeking housing of resources and programs available to assist them; and

(4) other activities, if authorized by the Secretary, that are necessary to address housing problems that result in the inappropriate initial or prolonged placement of children in out-of-home care.

ADDITIONAL REQUIRED AGREEMENTS

Sec. 303.

(a) Reports to Secretary. - The Secretary shall not make a grant under section 301(a) unless the agency involved agrees that such agency will -

(1) annually prepare and submit to the Secretary a report describing the specific activities carried out by the agency under the grant; and

(2) include in the report submitted under paragraph (1), the results of an evaluation of the extent to which such activities have been effective in carrying out the purpose described in such section, including the effect of such activities regarding -

(A) the incidence of placements of children in out-of-home care;
(B) the reunification of children with their families; and
(C) in the case of youths not less than 16 years of age who have been placed in out-of-home care, the discharge of such youths from such care into circumstances of providing for their own support with adequate living arrangements.

(b) Evaluation by the Secretary. - The Secretary shall conduct evaluations to determine the effectiveness of demonstration programs supported under section 301(a) in -

(1) strengthening coordination between child welfare agencies, housing authorities, and programs for homeless families;

(2) preventing placements of children into out-of-home care due to homelessness or other housing problems;

(3) facilitating the reunification of children with their families; and

(4) in the case of youths not less than 16 years old who have been placed in out-of-home care, preventing such youth from being discharged from such care into circumstances of providing their own support without adequate living arrangements.

(c) Report to Congress. -

(1) Preparation of list. - Not later than April 1, 1991, the Secretary, after consultation with the Secretary of Education, the Secretary of Housing and Urban Development and the Secretary of Labor, shall prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a list of Federal programs that provide services, or fund grants, contracts, or cooperative agreements for the provision of services, directed to the prevention of homelessness for families whose children are at risk of out of home placement and the incidence of child abuse that may be associated with homelessness, that shall include programs providing--

(A) rent, utility, and other subsidies;
(B) training; and
(C) for inter-agency coordination, at both the local and State and Federal level.

(2) Contents of list. - The list prepared under paragraph (1) shall include a description of -

(A) the appropriate citations relating to the authority for such programs;
(B) entities that are eligible to participate in each such program;
(C) authorization levels and the annual amounts appropriated for such programs for each fiscal year in which such programs were authorized;
(D) the agencies and divisions administering each such program;
(E) the expiration date of the authority of each such program; and
(F) to the extent available, the extent to which housing assistance under such programs can be accessed by child welfare and other appropriate agencies.

(3) Report. - Not later than March 1, 1993, the Secretary shall prepare and submit to the appropriate committees of Congress a report that contains a description of the activities carried out under this title, and an assessment of the effectiveness of such programs in preventing initial and prolonged separation of children from their families due to homelessness and other housing problems. At a minimum the report shall contain -

(A) information describing the localities in which activities are conducted;
(B) information describing the specific activities undertaken with grant funds and, where relevant, the numbers of families and children assisted by such activities;
(C) information concerning the nature of the joint training conducted with grant funds;
(D) information concerning the manner in which other agencies such as child welfare, public housing authorities, and appropriate public and nonprofit private entities are consulting and coordinating with existing programs that are designed to prevent homelessness and to serve homeless families and youth; and

BEST COPY AVAILABLE

(E) information concerning the impact of programs supported with grant funds under this title on--

(i) the incidence of the placement of children into out-of-home care;

(ii) the reunification of children with their families; and

(iii) in the case of youth not less than 16 years of age who have been placed in out-of-home care, the discharge of such youths from such care into circumstances of providing for their own support with adequate living arrangements.

(d) Restriction on Use of Grant. - The Secretary may not make a grant under section 301(a) unless the agency involved agrees that the agency will not expend the grant to purchase or improve real property.

DESCRIPTION OF INTENDED USES OF GRANT

Sec. 304.

The Secretary shall not make a grant under section 301(a) unless -

(1) the agency involved submits to the Secretary a description of the purposes for which the agency intends to expend the grant;

(2) with respect to the entities with which the agency has made agreements pursuant to section 301(b)(1), such entities have assisted the agency in preparing the description required in paragraph (1); and

(3) the description includes a statement of the methods that the agency will utilize in conducting the evaluations required in section 303(a)(2).

REQUIREMENT OF SUBMISSION OF APPLICATION

Sec. 305.

The Secretary shall not make a grant under section 301(a) unless an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in section 304, and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this title.

AUTHORIZATION OF APPROPRIATIONS

Sec. 306.

(a) In General. - For the purpose of carrying out this title, there are authorized to be appropriated $12,500,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1992 through 1995.

(b) Availability of Appropriations. - Amounts appropriated under subsection (a) shall remain available until expended.

* * * * *

Three additional provisions in Pub.L. 102-295, the 1992 Amendments to the Child Abuse Prevention and Treatment Act (CAPTA), which are not incorporated in CAPTA but which have important implications for the implementation of CAPTA, are:

SEC. 114(d) [of Pub.L. 102-295]. DELAYED EFFECTIVE DATE FOR NEW REQUIREMENTS. - The amendments described in subsections (a) and (b) [subsection 114(a) and subsection 114(b) of Pub.L. 102-295] [subsections describing the development and operation of the restructured basic State grants program, including the new State plan requirement] are made upon the date of the enactment of this Act [Pub.L. 102-295]. Such amendments take effect on October 1, 1993, or on October 1 of the first fiscal year for which $40,000,000 or more is made available under subsection (a)(2)(B)(ii) of section 114 of the Child Abuse Prevention and Treatment Act (as amended by section 117 of this Act [Pub.L. 102-295]), whichever occurs first. Prior to such amendments taking effect, section 107(a) of the Child Abuse Prevention and Treatment Act, as in effect on the day before the date of the enactment of this Act [Pub.L. 102-295], continues to be in effect.

SEC. 117(b) [of Pub.L. 102-295]. DELAYED EFFECTIVE DATE. - Paragraph (2) of section 114(a) [of CAPTA], as amended by subsection (a) [subsection 117(a) of Pub.L. 102-295] [section 114 being the section authorizing appropriations for sections 104 through 108 of CAPTA], shall become effective on October 1 of the first fiscal year for which $30,000,000 or more would be available under subsection (a)(2)(B)(ii) of such section 114 [of CAPTA] (if such subsection were in effect), and until such fiscal year, the second and third sentences of section 114(a) [of CAPTA] (as in effect prior to the amendment made by such subsection (a) [of Pub.L. 102-295]) shall continue in effect. [Footnote * contains those sentences.]

---

[*] Of the funds appropriated for any fiscal year under this section, except as provided in the succeeding sentence

(1) (A) $11,000,000 shall be available for activities under sections 104,105, and 106, and
(B) $9,000,000 shall be available in each fiscal year for activities under sections 107(a) and 108, giving special consideration to continued funding of child abuse and neglect programs or projects (previously funded by the Department of Health and Human Services) of national or regional scope and demonstrated effectiveness,

(2) $5,000,000 shall be available in each such year for grants and contracts under section 106(a), for identification, treatment, and prevention of sexual abuse, and

(3) $5,000,000 shall be available in each such year for the purpose of making additional grants to the States to carry out the provisions of section 107(f).

With respect to any fiscal year in which the total amount appropriated under this section is less than $30,000,000, no less than $20,000,000 of the funds appropriated in such fiscal year shall be available as provided in clause (1) in the preceding sentence and of the remainder, one-half shall be available as provided for in clause (2) and one-half as provided for in clause (3) in the preceding sentence.

SEC. 142 [of Pub.L. 102-295]. REPORT CONCERNING VOLUNTARY REPORTING SYSTEM.

Not later than April 30, 1993, and annually thereafter, the Secretary of Health and Human Services, acting through the Director of the National Center on Child Abuse and Neglect, shall prepare and submit to the appropriate committees of Congress a report concerning the measures being taken to assist States in implementing a voluntary reporting system for child abuse and neglect. Such reports shall contain information concerning the extent to which the child abuse and neglect reporting systems developed by the States are coordinated with the automated foster care and adoption reporting system required under section 479 of the Social Security Act.

* * * * *

Section 9 of Pub.L. 102-586, the "Juvenile Justice and Delinquency Prevention Amendments of 1992", enacted on November 4, 1992, in addition to containing subsection (b) which amends the "confidentiality" provision contained in paragraph 107(b)(4) of CAPTA), contains both a subsection (a), "Findings", and a subsection (c), "Sense of Congress." Although subsections (a) and (c) are not incorporated in CAPTA, they have important implications for the implementation of CAPTA. The subsections are:

BEST COPY AVAILABLE

SEC. 9. AMENDMENT TO THE CHILD ABUSE PREVENTION AND TREATMENT ACT.

(a) FINDINGS. - The Congress finds that -

(1) circumstances surrounding the death of a young boy named Adam Mann in New York City prompted a shocking documentary focusing on the inability of child protection services to protect suffering children;

(2) the documentary described in paragraph (1) showed the serious need for systemic changes in our child welfare protection system;

(3) thorough, coordinated, and comprehensive investigation will, it is hoped, lead to the prevention of abuse, neglect, or death in the future;

(4) an undue burden is placed on investigation due to strict Federal and State laws and regulations regarding confidentiality;

(5) while the Congress recognizes the importance of maintaining the confidentiality of records pertaining to child abuse, neglect, and death, often the purpose of confidentiality laws and regulations are defeated when they have the effect of protecting those responsible;

(6) comprehensive and coordinated interagency communication needs to be established, with adequate provisions to protect against the public disclosure of any detrimental information need to be established;

(7) certain States, including Georgia, North Carolina, California, Missouri, Arizona, Minnesota, Oklahoma, and Oregon, have taken steps to establish by statute interagency, multidisciplinary fatality review teams to fully investigate incidents of death believed to be caused by child abuse or neglect;

(8) teams such as those described in paragraph (7) should be established in every State, and their scope of review should be expanded to include egregious incidents of child abuse and neglect before the child in question dies; and

(9) teams such as those described in paragraph (7) will increase the accountability of child protection services.

(c) SENSE OF THE CONGRESS. - It is the sense of the Congress that each State should review and reform of the system in the State for protecting against child abuse and neglect, including implementing formal interagency, multidisciplinary teams -

(1) to review -

(A) all cases of child death in which the child was previously known by the State to have been abused or neglected; and

(B) incidents of child abuse before a child dies when there is evidence of negligent handling by the State, in order to hold the State accountable; and

(2) to make recommendations regarding the outcomes of individual cases and systemic changes in the State's procedures for protecting against child abuse and neglect.

APPENDIX D. REPORT ON THE ACCOMPLISHMENTS OF THE INITIATIVE ON CHILD ABUSE AND NEGLECT OF THE SECRETARY OF HEALTH AND HUMAN SERVICES

The following report is not the product of the U.S. Advisory Board on Child Abuse and Neglect. It was written by U.S. Department of Health and Human Services personnel involved with the work of Secretary Louis Sullivan's "Initiative on Child Abuse and Neglect" during 1990-1992. It is included here for informational purposes.

In the summer of 1990, Dr. Louis W. Sullivan, the Secretary of Health and Human Services, created an initiative to call attention to the need for broad nationwide participation in developing an effective response to child maltreatment. This bold initiative enlists not only the considerable resources of the Federal government, but also seeks to spur the nation's communities to take personal responsibility for preventing child abuse and neglect.

In 1990, States received and referred for investigation an estimated 1.7 million reports on approximately 2.7 million children who were the alleged subjects of child abuse and neglect.[1] The Secretary realized that changing this grim picture would require American citizens to build coalitions of concern, cooperative alliances that include government as a partner, but also involve community associations, the corporate sector, the educational establishment, religious organizations, parent groups--everyone who has a stake in the future of children. Collaboration between government and the people through partnerships would be key to achieving a decline in child maltreatment.

With this philosophical underpinning, the initiative took form around three key components: 1) increasing public awareness of the problem of child maltreatment by producing and distributing attractive and substantive informational materials; 2) promoting agency coordination of child abuse and neglect activities; and 3) encouraging all sectors of society to cooperate in combatting child maltreatment.

To accomplish the first goal--enhanced public awareness--the Department mounted a major campaign last April called "Show You Care". While the public has become increasingly aware that child maltreatment is an unfortunate feature of American life today, people still need to know, in concrete terms, what to do to combat the problem. Therefore, the focus of public awareness activities in the initiative was to present positive messages regarding how each individual and community can make a difference in stemming the tide of child maltreatment. Materials were timed to appear during April, 1992, Child Abuse and Neglect Prevention Month. The theme was carried out in a variety of ways:

- Video and audio news releases on excellent prevention and treatment programs were prepared and aired widely;
- "Pointers for Parents", a printed sidebar providing information on child maltreatment and a referral source for more information, was placed in many newspapers and periodicals;

---

[1] National Child Abuse and Neglect Data System Working Paper 1 1990 Summary Data Component, DHHS Publication No. (ACF) 92-30361, April, 1992, page 23.

- Secretary Sullivan and Marilyn van Derbur Atler, a former Miss America and survivor of sexual abuse, taped public service announcements which were shown on television;

- Letters and sample proclamations were sent to the Governors of all 50 States and U.S. Territories, explaining the Initiative and encouraging them to declare April, 1992 as Child Abuse and Neglect Prevention Month in their State or Territory.

The highly successful centerpieces of the public awareness campaign were two packets developed for use by the media and by community groups. These kits, professionally designed with eye-catching graphics, contained a selection of materials crafted to provide useful information for raising awareness of the problem of child maltreatment and taking steps to defeat it. Among the contents of each kit was a lively poster titled "Show You Care Everywhere!" which is meant to portray the central idea of the campaign. The poster depicted scenes that are emblematic of the notion that every sector of society has a role to play in preventing child maltreatment, that no matter what one's walk of life or style of living, everyone can contribute to the solution by being a responsible participant in community and family life.

The packets also contained a letter from Secretary Sullivan, a fact sheet on child abuse and neglect, a detachable Rolodex card with telephone numbers of national organizations and hotlines, press releases useful for media outlets and community organizations, ideas for activities communities can undertake to fight child abuse, and a booklet describing community prevention programs across the nation. Some seventeen thousand of these kits were distributed through mailing lists and by request. The public and professional response to the "Show You Care" campaign was highly favorable.

To promote Federal agency coordination of child abuse and neglect activities, the Department of Health and Human Services (HHS) entered into a Memorandum of Understanding with the Secretaries of Housing and Urban Development (HUD), Agriculture, Labor, Interior, Defense, Education, and the Attorney General. The Memorandum pledges cooperation and the formation of new intragovernmental partnerships in order to fight this problem effectively. We are excited about some of the specific ideas that have resulted from the Memorandum, for example:

- The Department of Labor is examining its role in the prevention of child maltreatment. Since adults who were abused as children often function poorly in the workplace, the prevention of child abuse is directly relevant to assuring that our workforce remains competitive in the years ahead. Thus, the Secretary of Labor will be speaking out about the importance of prevention efforts and written materials will be disseminated. These messages will reach an important audience--the future employers of our children. They will learn that they, too, have an important stake in preventing child abuse.

- The Department of Agriculture, through its Extension Service programs, reaches into the daily lives of many Americans. Extension Service agents such as home economists and 4-H programs are excellent case-finders and identifiers of families at risk. In recognition of this, Agriculture will be working closely with the Department of Housing and Urban Development and HHS to incorporate child abuse education and prevention into their existing programs which focus on young children.

In order to encourage all sectors of society to work together to combat child maltreatment, the Secretary sponsored a series of national and regional meetings with leaders from many disciplines to develop strategies to prevent child abuse and neglect. The first meeting, held in Washington, D.C. on December 6, 1991, brought together leaders of national organizations who have been uninvolved or only somewhat involved in the fight against child abuse and neglect. Participants came from the public, private, and voluntary sectors, representing business, religion, social services, education, law, medicine and the voluntary communities. The objective of this meeting was to equip the leaders of each organization with the information they need to promote awareness and initiate prevention-oriented activities among their membership. A sampling of the ideas that emerged from sectors represented at the national meeting follows:

Religious Leaders:

- Contact theological seminaries about instituting or improving student training in abuse and neglect.
- Publish child abuse prevention materials for parents in the newsletters and other publications of religious organizations.
- Improve the training of everyone who works with children/families in congregations.
- Include child abuse and neglect information in conferences sponsored by religious institutions for clergy, lay members and youth leaders.

Business:

- Hold child abuse prevention education activities in the workplace.
- Disseminate information among the workforce on how to get help.
- Lend financial support to communities addressing this problem.

Law and Criminal Justice:

- Work to improve the information base and data collection procedures regarding child maltreatment.
- Develop additional and improved training for people working with this problem.
- Advocate for improved handling of cases, including child victims, in the criminal justice system.

Education:

- Communicate the need for educators to become involved in working with parents, through parent training and workshops.
- Work to develop education which builds self-esteem and conflict resolution skills among students as a means of preventing future abuse.
- Advocate for making school the locus of service delivery for families.
- Train teachers to better understand their responsibilities regarding abuse and neglect.

Professional Associations:

- Work to have every professional society include child abuse and neglect information in its educational curriculum.
- Encourage each professional society to include such information in annual meetings.
- Encourage professional societies to have local affiliates become involved in local prevention efforts.
- Develop a network among professional societies to help in achieving child abuse objectives.

Youth Serving Organizations:

- Work to improve training in child abuse prevention for staff, volunteers, parents and children.
- Develop training of staff to help them create environments in which children feel safe enough to talk about their experience.
- Further efforts to collaborate with others in local communities.

Building on the energy created by the national meeting, ten similar meetings were held in the HHS regional office cities this spring. At the regional meetings, State and local counterparts of the national representatives came together to discuss prevention activities they can implement to meet the unique needs in their area. The regional offices will be conducting meetings again and following up with State and local organizations next year. These meetings initiated a groundswell of awareness and action that we believe will have a great impact on the lives of vulnerable children and families. We have some results already:

- For 1992-1993, Kiwanis Clubs International are making child abuse and neglect a national priority. They plan to ask their members to incorporate child abuse prevention activities into their plans for the year.

- The Sunday School Board of the Southern Baptist Convention has made numerous presentations and mailed out material to ministers and church staffers in more than 40 States as a result of the December meeting. Additional dissemination of materials will take place throughout the rest of the year.

- Similarly, the National Conference of Catholic Bishops is working with clergy education directors and has alerted 170 dioceses to Child Abuse Prevention Month and provided them with information from the National Committee for Prevention of Child Abuse.

We are encouraged by this evidence of grass-roots commitment.

For most children in America, childhood and adolescence are happy times of growth and development. Tragically, though, all too many children and adolescents suffer when their parents, families, neighborhoods, and communities renege on their obligation to provide every child a birthright of caring. Some of these children suffer silently, from emotional abuse and neglect, or from sexual abuse. Others bear visible scars on their bodies from physical abuse. Still others express their pain through self-destructive or socially destructive behavior.

Collaboration between government and the people through partnerships is the key to achieving a decline in child maltreatment. We must work together to keep children safe and we must use every resource--public and private--at our disposal to do so. We are moving toward the goal of developing a society where child maltreatment will not only be unthinkable, but also where everyone will take some personal responsibility to reach this goal. We view our efforts in the larger context of helping to develop healthy families, for such families form the foundation of a healthy society. We strive for a nation that shares a sense of community, that regards individuals as worthy of respect, that reveres family life, that is competent in the economic arena, and most important--protects and loves its children.

APPENDIX E. REPORTS BY THE INTER-AGENCY TASK FORCE ON CHILD ABUSE AND NEGLECT

The following two reports are not the products of the U.S. Advisory Board on Child Abuse and Neglect. They were written by U.S. Department of Health and Human Services personnel involved with the work of the U.S. Interagency Task Force on Child Abuse and Neglect during 1991 and 1992. They are included here for informational purposes.

1. 1991 Report

January 8, 1992

Howard Davidson, Chairman
U.S. Advisory Board on Child Abuse and Neglect
Washington, D.C. 20201

Dear Mr. Davidson:

I would like to take this opportunity to report to the Advisory Board on activities that the U.S. Interagency Task Force on Child Abuse and Neglect (see TAB A) has engaged in during the past year, to share plans we are making for the future, and to seek assistance from the Advisory Board on several critical issues.

Since I became Director of the National Center on Child Abuse and Neglect and Chairman of the Interagency Task Force eight months ago, my days have been extremely full with opportunities for assisting children in need of prevention and protective services. The burden of this very large challenge has been somewhat eased because of the dedication and spirit of the members of the Interagency Task Force.

I know this same commitment to combatting child maltreatment and a vision of a better world for vulnerable children is shared by Board members, as is evident in the annual reports. We appreciate your past efforts and look forward to a continued productive and cooperative relationship in the future.

Sincerely,

David W. Lloyd
Chairman
U.S. Interagency Task Force on
Child Abuse and Neglect

I. ACTIVITIES

A. Guide to Funding Resources

One of the first efforts of the Interagency Task Force was to survey the membership to determine the kinds and extent of resources available in the Federal Government to support activities related to child abuse and neglect. As a follow-on to the survey, A Guide to Funding Resources for Child Abuse and Neglect and Family Violence Programs (see TAB B) was developed and disseminated in April of 1991, through the Clearinghouse of the National Center on Child Abuse and Neglect. The Guide provides information on Federal Agencies by briefly describing activities and interests including examples of discretionary grants and projects funded in the past and how to contact the agency for further information. In addition information is provided on publications, clearinghouses, resource centers, national organizations, computerized data bases, regional offices, and State agencies. This has been a very popular publication and approximately 10,000 copies have been distributed since its publication.

B. Child Care Workers Background Checks.

Early this year members of the Task Force began discussing problems they were confronting in implementing both the Crime Control Act of 1990, P.L. 101-647, and the Indian Child Protection Act of 1990, P.L. 101-630. Many agencies were unaware of these statutes, which impact not only on program operations, but involve personnel, security, and procurement policies as well. The discussions centered on the provisions that pertain to hiring individuals (both directly or by contract) to provide services to children under the age of eighteen to assure that all existing and newly hired employees undergo a criminal history background check.

The difficulties include: an unrealistic date for compliance, especially since there are delays in obtaining FBI reviews of fingerprints; ambiguity regarding the scope of employees covered; the costs involved, especially since occupations involved in providing services to children frequently have frequent turnover in employees; reliance on State-wide criminal history repositories, although not all States have them; and the need to develop central Federal registries.

The Direct Services Working Group, chaired by Colonel James Schlie, began networking throughout the Government (see TAB C) to alert agencies of the requirements, established a list of agencies that have identified themselves as needing to take steps to address this issue, and have shared briefing materials and strategies that attempt to solve the numerous problems. One temporary solution of part of this problem is that the Contract Services Committee of the Federal Acquisition Regulations Task Force has postponed issuing procurement regulations until there is further clarification of the interpretation of the Laws.

The Task Force is looking for some assistance from the Advisory Board on this problem. This request is contained in part III-A of this document.

C. Clearinghouse Consortium

The Work Group on Dissemination noted that a number of clearinghouses were dealing with child maltreatment issues from differing disciplines and perspectives. They felt that the relevant clearinghouses should be brought together to share and exchange information and services they provide to professionals and the public, and identify strategies to increase and enhance access to this information.

The Consortium (see TAB D) of Federal clearinghouses, including Federal project officers and contractors, met twice during the past year and each member completed a program synopsis describing its clearinghouse functions. A single document will be produced from the synopses describing the services of all members. Still under discussion is whether relevant resource centers should also be included in the publication.

Another possible publication that is being discussed would combine lists and summary descriptions of all current discretionary grants related to child maltreatment into one document. Since such a document would be lengthy and need annual revision, Consortium members are studying the amount of relevant material in their data bases and the criteria to determine relevancy before a final determination is made.

Discussions are also continuing on ways of making disparate data bases more accessible through various technologies, and it was agreed to begin planning for a special track on information dissemination, from both clearinghouses and resource centers, at the Tenth National Conference on Child Abuse and Neglect. The Conference will tentatively be held in the summer of 1993 somewhere on the east coast.

D. Leadership Work Group/Secretary's Initiative

This group was charged with developing ideas for increasing public awareness of the nature and scope of the problem of child abuse and neglect. The group felt the highest priority was to have a national leader designated as a spokesperson on this issue. Fortunately, the Secretary of the Department of Health and Human Services decided to pursue an Initiative on Child Abuse and Neglect that would be responsive to the leadership recommendation made by the work group.

An HHS strategy team was charged with implementing the Secretary's Initiative, and included the Chairman of the Task Force, David Lloyd, as a member, along with one of the representatives from the Task Force to the U.S. Advisory Board, Donna Givens. The team's plan seeks to improve coordination of HHS programs impacting on child maltreatment, to increase Federal leadership in addressing child maltreatment through the Secretary and other Departments, and to focus public awareness on the problem in order to generate local and State initiatives throughout the nation.

During the past year Secretary Sullivan led this initiative by talking about the problem of child maltreatment in a number of his public appearances around the country. He has also met with leaders in the child abuse and neglect field, including a reception at the White House that was hosted by the First Lady, Barbara Bush, to seek advise and explore areas for cooperation.

Discussions with other domestic Departments began to explore development of memoranda of understanding among relevant agencies, and signed by the heads of the Departments, for joint efforts to combat child maltreatment. This was followed by a meeting with Assistant Secretaries from the Departments of Agriculture, Defense, Education, Housing and Urban Development, Interior, Justice, and Labor to encourage them to enhance present efforts and to develop new efforts to address child maltreatment.

The Assistant Secretaries named their representatives, most of whom are members of the U.S. Interagency Task Force on Child Abuse and Neglect, and they met in December to discuss ideas for coordinating and developing processes for formalizing agreements. A progress report of their tentative plans will be made at the next Task Force meeting on February 11, 1992. A meeting of the Assistant Secretaries' Group is tentatively scheduled for March 10, 1992, when the specific plans of each Department will be added to the general Memorandum of Understanding that was signed by the eight Departments in December of 1991 (see TAB E).

In December of 1991 the Secretary convened a one day conference of more that 50 representatives of religious, business, law, professional, educational, voluntary, and state and local government groups. These organizations, whose principal foci are not on child maltreatment, were asked to prioritize child abuse issues and to develop specific ways that their sectors could respond. This meeting will be replicated in the ten HHS Regional Office cities; most of them will occur in April of 1992, which is Child Abuse Prevention Month. Appropriate public awareness products and media kits are being developed by HHS for these meetings and for national distribution to highlight the importance of the month.

E. Master Calendar/Interagency Agreements

A portion of all of the meetings dealt with presentations of activities being pursued by the members that are of interest to the Task Force. Over the past year this has included:

both reports of the U.S. Advisory Board on Child Abuse and Neglect,

the Ninth National Conference on Child Abuse and Neglect,

NCCAN's four State grant programs and two discretionary grant programs,

NCCAN's Third National Study of the Incidence and Prevalence of Child Abuse and Neglect and the National Child Abuse and Neglect Data System,

NCCAN's National Symposium on Prevention of Child Abuse and Neglect,

the evaluative study of research on child abuse and neglect conducted by the National Academy of Sciences,

the Social Security Administration's pilot project regarding Representative Payees and child protection,

initiatives and programs related to child maltreatment that are underway at the Department of Justice, and

initiatives and programs related to child maltreatment that are underway at the Department of Agriculture.

These are described in more detail in the attached minutes (see TAB F).

Although presentations proved to be a positive vehicle for communicating activities, the members requested the Task Force to develop a system to promote coordination and reduce duplication of efforts with respect to future events. In view of this, a Master Calendar has been developed that includes meetings, conferences, symposia, and planning cycles for discretionary grant awards. A companion document describing extant Interagency Agreements dealing with child maltreatment has also developed. The Coordinator of the Task Force is responsible for collecting information from the members and to update and distribute the materials to the membership on a regular basis. Sample documents are found at TAB G.

F. Generating Knowledge Work Group

This Work Group stressed the need to collect and understand the types of research being pursued by the Task Force members, to identify the opportunities for coordination, to discuss the feasibility of developing a research agenda, and to develop compatible systems for data collection and analysis including information on incidence, prevalence, and service delivery.

In response to these concerns, NCCAN is supporting the Third National Study of the Incidence and Prevalence of Child Abuse and Neglect (NIS-3) and is developing the National Child Abuse and Neglect Data System (NCANDS). In addition, NCCAN has awarded a grant to the National Academy of Sciences (NAS) to systematically and comprehensively review child abuse prevention, treatment, and research efforts to determine the direction of future activities in this field.

NAS, through its Commission on Behavioral and Social Sciences and Education, Division of Social and Economic Studies, Committee on Child Development Research and Public Policy, has outlined three major goals for such a project:

1) The Commission will review extant research on child abuse and neglect. Projects funded by NCCAN, other agencies within the Administration on Children, Youth and Families, and other public and private agencies will be reviewed; the National Clearinghouse will be accessed.

2) The Commission will review research from related disciplines in assessing the status of knowledge in the field.

3) The Commission will make recommendations for research priorities for the next decade. The Commission will outline gaps in the field, suggest new directions for research, and indicate which areas might no longer be priorities for funding.

In order to achieve these goals, the Commission will convene an interdisciplinary panel of approximately 12 experts in the field of child abuse. The panel will review, synthesize and discuss the state of the field of knowledge on child abuse in developing their report. The Commission will produce a report articulating these goals and recommendations with a specific view toward use of resources beginning with fiscal year 1993.

The NAS grant is currently funded for an initial one year cycle; an additional 7 months work may be funded following the first year's work. The initial cost of the project is $422,000.00, and an additional $177,700.00 may be expended for the second year of the project.

Ms. Suzanne Stoiber, Director of the Division of Social and Economic Studies will serve as the staff officer, with Dr. Marsha B. Liss, Special Assistant to the Director of the National Center For Child Abuse and Neglect (NCCAN), as the Federal project officer.

G. Response to the Advisory Board's Second Annual Report

Following a presentation from the Vice Chair of the Advisory Board on the fourth draft, the Task Force members requested and were provided the opportunity to submit comments upon it prior to the preparation of the final draft.

The final report was responsive to many of the comments made by individual members of the Task Force to the fourth draft. However, the Task Force still believes that a number of the recommendations will be very difficult for Federal agencies to implement and do not take cognizance of the lessons learned from prior Federal efforts. Some Task Force representatives have noted that the Advisory Board has proposed a framework in which the Federal Government is expected to assume responsibility for implementing what have been State responsibilities without explicitly stating the full consequences of such a shift in the Federal role in child protection.

II. FUTURE PLANS

A. Research Committee

The Generating Knowledge Work Group has been reconstituted as the Research Committee, and is chaired by Dr.Malcolm Gordon, of NIMH, with Dr. Marsha Liss providing liaison to NCCAN. The membership list is found at TAB H. This group, which includes local nonfederal members, will closely follow the development of the NAS study for implications regarding the Task Force and the individual organizations that they represent.

The Research Committee had its first meeting in December of this year to discuss Task Force recommendations, methods for coordinating including intramural research, defining the breadth of the field of child abuse and neglect research, and developing short term research agendas and joint funding opportunities. Progress reports will be made at the regular meetings of the Task Force during 1992.

B. Secretary's Initiative and Interagency Agreements

The Leadership Work Group agreed that their tasks had been assimilated into the Secretary's Initiative on Child Abuse and Neglect, thus the Work Group was disbanded. Implementation of the interagency agreements among the eight Departments that will be enhanced or developed will, in the main, be the responsibility of the members of the Interagency Task Force. Progress on these agreements will be followed and discussed at regular Task Force meetings.

C. Child Fatality Work Group

There has been considerable interest by individuals involved with the Secretary's Initiative and members of the Task Force and the Advisory Board, in expanding and enhancing the use of child fatality review teams. Coleen Kivlihan, M.D., the Chief Medical Officer of the Health Resources and Services Administration, HHS, had started discussions on developing an initiative in this area. However, Dr. Kivlihan left Federal service before the initiative had been developed and returned to Missouri to head the Social Services Agency in that State and to implement a new State Law regarding child fatality review teams.

Some discussion regarding this issue has taken place among Task Force members, and we plan to establish a Child Fatality Work Group chaired by the Maternal and Child Health Program representative, with participation by CDC, NCCAN staff, and other relevant agency staff. Non-government experts in this area, such as Dr. Kivlihan, and members of the Advisory Board will be consulted.

D. Training Committee

The Increasing Human Resources Work Group recognized the serious problems of staff shortages, training, and capability for dealing with the widespread incidence and growing complexities of coping with child maltreatment. This group recommended that each member agency assess existing and needed staffing, resources, and training requirements to develop comprehensive services for child abuse and neglect.

In addition, a recommendation was made to establish a continuing Work Group to examine information on qualifications, competencies, in-service training, degree programs, staffing patterns, curriculum, available technical assistance, and cross discipline interaction, in order to attract, increase, and to better prepare individuals to work with child abuse and neglect problems.

NCCAN's Emergency Services Program has provisions for specialized training in the area of child abuse and drug abuse. In addition, NCCAN funded ten Universities to develop graduate level students expertise in the field of child abuse and neglect. The Children's Bureau has expanded its projects for interdisciplinary training and has funded a grant to the Child Welfare League of America for promoting employment in child welfare, including CPS workers in public agencies.

However, these efforts although needed, are a minimal response to a very large problem. The Work Group will be reconstituted in 1992 with a narrower focus to reflect available resources and will be called the Training Committee.

E. Update Resource Guide

The Task Force is interested in updating the Resource Guide during 1992, and funds have been set aside in NCCAN's Clearinghouse to do the updating and distribution of the document. Printing will be supported by NCCAN. However, work on the Guide is delayed because of the uncertainty of the pending reorganization of the Public Health Service. It is our understanding that the Congress will need to approve the reorganization and is expected to deliberate on this matter in April 1992. Work on the updating will start as soon after that date as possible.

III. ASSISTANCE FROM THE ADVISORY BOARD

A. Child Care Workers Background Checks

As mentioned in I-B above, Task Force members who have been trying to implement Child Care Worker background checks have been seeking direction concerning very complex and inconsistent requirements in some recent and planned legislation on this subject.

We are aware of the recent Criminal History Record Checks: A Report for Nonprofits, and the fact that OJJDP, in the Department of Justice, will shortly fund a two year project on Effective Screening of Child Care and Youth Service Workers. These are very useful efforts, but do not deal with the problems of seeking amendments to legislation with questionable effectiveness or analyzing legislation proposed by Congressional committees that do not regularly consider legislation that relates to child maltreatment.

We believe that a report, or white paper from the Advisory Board would carry much more weight with the Congress than a report from the Task Force.

B. Combining Federal Funding Authorizations

Various Federal agencies represented on the Task Force are interested in ways of combining Federal funding authorizations to address child abuse and neglect at the local level more effectively and, in strengthening families generally. We recognize that the existing categorical nature of such Federal funding may require a local agency to submit multiple applications and reports to agencies if it receives funding from more than one Federal Source.

However, as Mr. Davidson heard during his presentation to the Task Force, the members of the Task Force do not believe that a single point of contact for Federal funding of child maltreatment is feasible, based on the committee structure of the Congress. In addition, although several Departments have pursued such efforts periodically, they all developed severe administrative difficulties and were subsequently dropped.

The Congress can enact omnibus legislation that cuts across agencies and it can permit flexibility or waivers in some programs in HHS (excluding NCCAN). We believe that it would be very helpful if the Advisory Board could supplement the recommendations on increasing flexibility that were made in the 1991 Annual Report, by consulting with staff responsible for the Services Integration efforts in HHS and other agencies, knowledgeable State officials, and developing an in-depth report on this subject.

ATTACHMENTS*

TAB A	Membership List of Interagency Task Force
TAB B	Resource Guide
TAB C	Contacts for Child Care Background Checks
TAB D	Clearinghouse Consortium Members List
TAB E	Contact List for Developing Interagency Agreements and December Memorandum of Understanding
TAB F	Task Force Minutes
TAB G	Master Calendar
TAB H	Research Committee Members

---

* Due to limitations of space, these attachments are not included in this report. Readers interested in obtaining the attachments should contact the U.S. Interagency Task Force on Child Abuse and Neglect, DHHS, Switzer Building, 200 Independence Avenue, S.W., Washington, D.C. 20201.

2. Update to 1992 Report to the Advisory Board

December 5, 1992

Howard Davidson
Chairman
U.S. Advisory Board on Child Abuse and Neglect
330 C Street S.W.
Washington, D.C. 20201

Dear Mr. Davidson:

I would like to take this opportunity to update the January 8, 1992 Report to the Advisory Board that reflected the U.S. Interagency Task Force on Child Abuse and Neglect's calendar year 1991 activities.

I have become increasingly appreciative of the successful efforts of the members of the Interagency Task Force to provide Federal leadership, and the potential for working together productively on behalf of vulnerable children.

In addition to the delivery of committee and work group reports, a portion of each quarterly meeting of the Task Force includes presentations of each agency's activities in the area of child maltreatment. Minutes of these meetings are given to the Executive Director of the Advisory Board for distribution to the Advisory Board members. The enclosed report summarizes major activities undertaken by the Task Force and does not reiterate the details reported in the minutes.

The U.S. Interagency Task Force on Child Abuse and Neglect looks forward to a continued complementary and cooperative relationship with the U.S. Advisory Board on Child Abuse and Neglect.

Sincerely,

David W. Lloyd
Chairman
U.S. Interagency Task Force on
Child Abuse and Neglect

Enclosure

ACTIVITIES OF THE U.S. INTERAGENCY TASK FORCE ON CHILD ABUSE AND NEGLECT

A. Guide to Funding Resources

One of the first efforts of the Interagency Task Force was to survey the membership to determine the nature and extent of resources available in the Federal Government to support activities related to child abuse and neglect. Following the survey, A Guide to Funding Resources for Child Abuse and Neglect and Family Violence Programs was developed and disseminated in April of 1991, through the Clearinghouse of the National Center on Child Abuse and Neglect.

The Guide provides information on Federal Agencies, briefly describing each agency's child maltreatment-related activities, including examples of discretionary grants and projects funded in the past and instructions on how to contact the agency for further information. In addition, the Guide contains information on publications, clearinghouses, resource centers, computerized data bases, national organizations, regional offices, and State agencies. This has been a very popular document and all 10,000 copies of the first printing were distributed. The Guide was revised and reissued in October, 1992 and is currently being widely distributed.

B. Child Care Workers Background Checks

Members of the Task Force discussed problems they were confronting in implementing the background check provisions of both the Crime Control Act of 1990, P.L. 101-647, and the Indian Child Protection Act of 1990, P.L. 101-630. Many agencies were unaware of these statutes, which affect not only program operations, but also involve personnel, security, and procurement policies. The discussions centered on the provisions that require all individuals to undergo a background check for possible criminal history, if their job entails providing services to children under the age of eighteen. This applies whether the potential employee is hired directly by the agency or is employed under a contract.

The difficulties include: an unrealistic date for compliance, especially since there are delays in obtaining FBI reviews of fingerprints; ambiguity regarding the scope of employees covered; the costs, especially since occupations involved in providing services to children frequently have high employee turnover; reliance on State-wide criminal history repositories, which are not available in every State; and the need to develop central Federal registries.

The Direct Services Working Group informed affected agencies throughout the Government of the need to address this provision, and provided briefing materials and strategies to assist in meeting the requirements of the statutes.

During the past year, most of the agencies have developed or revised procedures related to their own specific programs and have become more sensitive to the need to include criminal history checks as part of a comprehensive screening process. Members of the Task Force are looking forward to the completion of a project funded by the Department of Justice that is examining screening practices in hiring and retaining personnel who work with children.

C. Clearinghouse Consortium

The Work Group on Dissemination (now disbanded) noted that a number of clearinghouses were dealing with child maltreatment issues from differing disciplines and perspectives. They felt that the relevant clearinghouses should be brought together to share and exchange information and services they provide to professionals and the public, and identify strategies to facilitate access to this information.

Thus, a groups representing 14 Federal clearinghouses was formed, and named the Consortium. Members include Federal project officers and contractors involved in administering these clearinghouses. Each member completed a program synopsis describing the functions of its respective clearinghouse. A single document will be produced from the synopses describing the services of all members clearinghouses. In addition, the group is exploring the feasibility of a joint publication reflecting statistics on child maltreatment now being collected from various sources.

Discussions are also continuing on ways of making disparate data bases more accessible through various technologies, and holding a special track on information dissemination for clearinghouses and resource centers at the Tenth National Conference on Child Abuse and Neglect. The Conference will be held in Pittsburgh from 11/30/93 to 12/04/93.

D. Leadership Work Group/Secretary's Initiative

This group was charged with developing ideas for increasing public awareness of the nature and scope of the problem of child abuse and neglect. The group felt the highest priority was to have a national leader designated as a spokesperson on this issue. Fortunately, the Secretary of the Department of Health and Human Services decided to pursue an Initiative on Child Abuse and Neglect that would be responsive to the leadership recommendation made by the work group.

An HHS strategy team was charged with implementing the Secretary's Initiative, and included the Chairman of the Task Force, David Lloyd, as a member, along with one of the representatives from the Task Force to the U.S. Advisory Board, Donna Givens. Because of the Secretary's willingness to assume the leadership role, the Leadership Work Group disbanded and the Task Force has supported and provided staff for the Secretary's Initiative on Child Abuse and Neglect.

Further details about the Initiative have been prepared by NCCAN staff who supported the process. This report can be found at APPENDIX D of the Advisory Board's Third Annual Report.

E. Generating Knowledge Work Group

This Work Group stressed the need to collect and understand the types of research being pursued by the Task Force members, to identify the opportunities for coordination, to discuss the feasibility of developing a research agenda, and to develop compatible systems for data collection and analysis including information on incidence, prevalence, and service delivery.

In response to these concerns, NCCAN is supporting the Third National Study of the Incidence and Prevalence of Child Abuse and Neglect (NIS-3) and is developing the National Child Abuse and Neglect Data System (NCANDS). In addition, NCCAN has awarded a grant to the National Academy of Sciences (NAS) to conduct a systematic and comprehensive review of child abuse prevention, treatment, and research efforts to determine the direction of future activities in this field. Dr. Marsha Liss is the project officer. NAS, through its Commission on Behavioral and Social

Sciences and Education, Division of Social and Economic Studies, Committee on Child Development Research and Public Policy, has outlined three major goals for this project:

1) The Commission will review extant research on child abuse and neglect. Projects funded by NCCAN, other agencies within the Administration on Children, Youth and Families, and other public and private agencies will be reviewed; the National Clearinghouse will be accessed.
2) The Commission will review research from related disciplines in assessing the status of knowledge in the field.
3) The Commission will make recommendations for research priorities for the next decade. The Commission will outline gaps in the field, suggest new directions for research, and indicate which areas might no longer be priorities for funding.

In order to achieve these goals, the Commission convened an interdisciplinary panel of 12 experts in the field of child abuse. The panel is reviewing, synthesizing and discussing the state of the field of knowledge on child abuse in developing their report. The Commission will produce a draft report articulating these goals and recommendations in April of 1993 and hopes to disseminate the report beginning in June of 1993.

The NAS grant is currently in the second and final year, with supplemental funding to include a special panel on child pornography. This will not change the timetable noted in the preceding paragraph.

The Generating Knowledge Work Group has been reconstituted as the Research Committee, and is chaired by Dr. Malcolm Gordon, of NIMH, with Dr. Marsha Liss providing liaison to NCCAN. This group, which includes local nonfederal members, will closely follow the development of the NAS study for implications regarding the Task Force and the individual organizations that they represent.

The Research Committee will discuss Task Force recommendations, methods for coordination including intramural research, defining the breadth of the field of child abuse and neglect research, and developing short term research agendas and joint funding opportunities.

On February 3, 1992 the Research Committee sponsored a Forum on Federal Funding in Child Abuse and Neglect. The Forum highlighted over 175 funding activities in Fiscal Year 1992 undertaken by 11 agencies in 4 Executive Branch Departments. A draft compendium of the projects was available and discussion centered on continued and changing priorities for future years and exploration of collaborative interchanges and activities.

F. Response to the Advisory Board's Second Annual Report

Following a presentation from the Vice Chair of the Advisory Board on the fourth draft, the Task Force members requested and were provided the opportunity to submit comments upon it prior to the preparation of the final draft. The final report was responsive to many of the comments made by individual members of the Task Force to the fourth draft. However, the Task Force still believes that a number of the recommendations will be very difficult for Federal agencies to implement and do not take cognizance of the lessons learned from prior Federal efforts. Some Task Force representatives have noted that the Advisory Board has proposed a framework in which the Federal Government is expected to assume responsibility for implementing what have been State responsibilities without explicitly stating the full consequences of such a shift in the Federal role in child protection.

G. Response to the Advisory Board's Draft Report on Research

The Research Committee responded for the Task Force in detail. Although the Task Force members uniformly endorsed the Advisory Board's recommendations that funding levels for child abuse and neglect research be increased, the draft was found to be generally weak in most areas. Stylistically the draft was long, wordy, repetitive, and showed a lack of care to details and background research. It was also overly negative in its tone and appeared to be anti-government without consideration of the complexities of the federal-State and executive-legislative relationships. These limitations would seriously compromise and dilute the final report's value to a wide audience.

H. Child Fatality Work Group

There has been considerable interest by individuals involved with the Secretary's Initiative on Child Abuse and Neglect and members of the Task Force and the Advisory Board, in expanding and enhancing the use of child fatality review teams. Under the aegis of the Secretary's Initiative, a Child Fatality Work Group chaired by the Maternal and Child Health Program representative to the Task Force, was established. A number of agencies participated, such as CDC, NCCAN, and other relevant Federal and State agency staff. Non-government experts in this area, as well as members of the Advisory Board were also consulted.

The Work Group completed a report and recommendations and circulated it to the members of the Task Force, the Advisory Board and to other agencies and organizations. When the comments are reviewed and the report modified, the Task Force will discuss (at a future quarterly meeting) implementation of the recommendations.

I. Training Committee

The Increasing Human Resources Work Group recognized the serious problems of staff shortages, training, and capability for dealing with the widespread incidence and growing complexities of coping with child maltreatment.

In addition, a recommendation was made to establish a continuing Work Group to examine information on qualifications, competencies, in-service training, degree programs, staffing patterns, curriculum, available technical assistance, and cross discipline interaction, in order to attract, increase, and better prepare individuals to work with child abuse and neglect problems.

NCCAN's Emergency Services Program has provisions for specialized training in the area of child abuse and drug abuse. In addition, in the last two fiscal years, NCCAN provided funds to universities to develop graduate level students expertise in the field of child abuse and neglect. The Children's Bureau has expanded its projects for interdisciplinary training and has funded a grant to the Child Welfare League of America for promoting employment in child welfare, including CPS workers in public agencies.

While these efforts are needed, they constitute a minimal response to a very large problem. The Work Group was reconstituted recently with a narrower focus to reflect available resources and was renamed the Training Committee. Unfortunately, the NCCAN staffer assigned to support this committee left the agency and a replacement with the requisite skills has not been found. Since this activity will be put on hold, the Task Force will discuss this issue at a future quarterly meeting.

J. Parent Education Curriculum Committee

This recently formed Committee is chaired by Dr. Ron Daley of the Department of Agriculture and is exploring the feasibility of publishing a document on the availability and quality of parenting curricula in the federal government. The Committee has already received a large volume of responses from the members of the Task Force and is currently discussing what methods could be used in evaluating the curricula.

K. User Manual Series

NCCAN has recently released 7 of 19 publications that will be issued over the next 18 months. This series of user manuals (some new and some revisions of previous documents) explore the prevention and treatment of child abuse and neglect from a variety of perspectives.

Advisory Board members have already received the following :

- A Coordinated Response to Child Abuse and Neglect: A Basic Manual
- The Role of Educators in the Prevention and Treatment of Child Abuse and Neglect
- Child Protective Services: A Guide for Caseworkers

- Caregivers of Young Children: Preventing and Responding to Child Maltreatment
- Working With the Courts in Child Protection
- The Role of Law Enforcement in the Response to Child Abuse and Neglect
- Protecting Children in Military Families--A Cooperative Response

Scheduled for future publication and distribution to the Advisory Board:

- Protecting Children in Substance Abusing Families
- Preventing and Treating Child Sexual Abuse
- Developing Cultural Competence in the Prevention and Treatment of Child Abuse and Neglect
- The Role of Mental Health Professionals in the Prevention and Treatment of Child Abuse and Neglect
- Substitute Care Providers: Helping Abused and Neglected Children
- Treatment for Abused and Neglected Children: Infancy to Age 18
- Child Neglect: A Guide for Intervention
- Supervising Child Protective Caseworkers
- Organizing Communities to Respond to Child Abuse and Neglect
- Using Crisis Intervention in Child Abuse and Neglect Cases
- Preventing Child Abuse and Neglect: A Guide for Staff Residential Institutions
- The Role of Health Care Professionals in the Prevention and Treatment of Child Abuse and Neglect

Developing strategies and plans for the dissemination of these manuals by relevant member agencies will be a major focus for the Task Force during the next year.

*U.S. G.P.O.:1993-719-739:80069

ISBN 0-16-036276-8

90000

9 780160 362767